

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 3, 1979  
9:00 A.M.

Council Chambers  
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Trevino

Absent: None

INVOCATION

The Invocation was given by Reverend Tom Martin, First Baptist Church.

HONORARY CITIZENSHIP

An Honorary Citizenship Certificate was presented to MRS. KATHLEEN BUTLER, a visitor to Austin from England. Councilmember Himmelblau read the proclamation, which Mrs. Butler accepted with her appreciation.

RESOLUTION TO GENESIUS PLAYERS

A Resolution, read by Mayor McClellan and signed by all Councilmembers, was presented to DON FENNER for the 10 Genesis Players. The Players will travel to Tulsa, Oklahoma May 4-6, 1979 to enter the Regional Festival. May 3, 1979, according to the Resolution, was proclaimed Genesis Players Day in Austin. Mr. Fenner accepted the Resolution with his thanks on behalf of all the players.

JAZZ WEEK

GERALD STORM and CYNTHIA ALEXANDER were in the Council Chamber to accept with their thanks a proclamation read by Councilmember Snell, designating May 4-11, 1979 as Jazz Week.

## CINCO DE MAYO DAY

Proclamations, read by Councilmember Trevino, designating May 5, 1979, as Cinco De Mayo Day, were presented to MANUEL FLORES, Director, Zaragosa Recreation Center; and FLOYD BERMEA, President, Austin Committee for Mexican-American Cultural Affairs. Mr. Flores and Mr. Bermea thanked the Mayor and Council for the proclamations. MS. DELIA ROGERS and JAMES SUSTAIN performed two native Mexican dances in the Council Chamber.

## PUBLIC TELEVISION DAY

The Mayor read a proclamation designating May 3, 1979, as Public Television Day. MARY ANN WOOTEN accepted the proclamation with her thanks. Accompanying her was Dr. Lawrence Haskew.

## ARTS MONTH

Arts Month will be observed during the Month of May according to a proclamation read by Councilmember Himmelblau and accepted by ALVIN J. GOLDEN, Chairman of the Arts Commission. Mr. Golden thanked the Council for the proclamation.

## BE KIND TO ANIMALS WEEK

DOYLE NORDYKE accepted, with his appreciation, a proclamation read by Councilmember Mullen designating May 6-12 as Be Kind to Animals Week.

## NATIONAL HISTORIC PRESERVATION WEEK

National Historic Preservation Week will be observed May 6-12, 1979, according to a proclamation read by Mayor Pro Tem Goodman. MR. PHILIP CREER, Chairman, Historic Landmark Commission, accepted the proclamation with his thanks.

## GOODWILL MONTH

TERRY MCFARLANE, Executive Director, Goodwill Industries, was in the Council Chamber to accept a proclamation read by Mayor McClellan, designating the month of May as Goodwill Month. Mr. McFarlane thanked the Mayor and Council for the proclamation.

## MINUTES APPROVED

Councilmember Himmelblau moved that the Council approve the Minutes of the Meeting for April 26, 1979 and the Special Meeting of April 25, 1979. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino,  
Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman  
Noes: None

#### BOARDS AND COMMISSIONS

Mayor McClellan announced the following Board and Commission appointments will be made May 10, 1979:

Citizen's Board of Natural Resources and Environmental Quality - 1  
Dental Health Advisory Committee - 6  
Elisabet Ney Museum - 2  
On-Going of Goals Committee - 3  
Building Code Board of Appeals - 1  
Manpower Advisory Planning Council - 1  
Urban Transportation Commission - 2  
Community Development Commission - 7  
Wrecker Standards Commission - 2

Prior to June 1, 1979, 3 members will be appointed to the Board of Equalization.

Appointments to be made June 7, 1979 are:

Building Standards Commission - 5  
Historic Landmark Commission - 5  
Medical Assistance Advisory Board - 3  
Parks and Recreation Board - 7  
Planning Commission - 5  
Commission on Status of Women - 7  
Vending Commission - 3

#### EASEMENTS RELEASED

Mayor Pro Tem Goodman moved that the Council adopt a resolution authorizing the release of the following easement:

A portion of a five (5.00) foot Public Utility Easement on the Northwest line of Lot 1-A of Shamrock Addition, locally known as 1620 East Riverside Drive. (Requested by Ralph Harris, representing the owner)

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember  
Himmelblau  
Noes: None

Mayor Pro Tem Goodman moved that the Council adopt a resolution authorizing release of the following easement:

An electrical and telephone easement and a drainage easement, out of a 32.17 acre tract of land out of the Thomas Anderson League, locally known as Brodie Lane and Harper Ferry's Lane.  
(Requested by James Vier, owner)

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember  
Himmelblau

Noes: None

#### STRUCTURE TO BE MOVED

Mayor Pro Tem Goodman moved that the Council adopt a resolution authorizing the removal of the following structure:

2206 Lovell Drive      Mrs. E. A. Bradford      \$7,010.00  
(Positive Bid accepted)

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember  
Himmelblau

Noes: None

#### CONTRACTS

Mayor Pro Tem Goodman moved that the Council adopt a resolution approving the following contract:

GENERAL ELECTRIC SUPPLY COMPANY	- Insulator Suspensions and Struts,
7521 North Lamar Boulevard	Central Stores Division
Austin, Texas	Items 1-3 - \$11,642.40

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember  
Himmelblau

Noes: None

Mayor Pro Tem Goodman moved that the Council adopt a resolution approving the following contract:

3M BUSINESS PRODUCTS  
1948 South Interregional Highway  
Austin, Texas

- Microfiche Reader/Printer  
with Coin Operated Device,  
Library Department  
Item 1 - \$7,813.44

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember  
Himmelblau  
Noes: None

Mayor Pro Tem Goodman moved that the Council adopt a resolution approving the following contract:

XEROX  
313 East Anderson Lane  
Austin, Texas

- Display Typing System, Electric  
Department  
Seventeen (17) Month Supply  
Agreement  
Item 1 - \$6,263.75

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember  
Himmelblau  
Noes: None

Mayor Pro Tem Goodman moved that the Council adopt a resolution approving the following contract:

MODERN SIGNS, INC.  
2310 Manor Road  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Installation of a New Outdoor  
Lighted Marquee and relocation of  
existing Marquee at Municipal  
Auditorium - \$31,200.00  
C.I.P. No. 78/80-03

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember  
Himmelblau  
Noes: None

## STREET CLOSINGS

Mayor Pro Tem Goodman moved that the Council adopt a resolution temporarily closing the 600 block of Trinity Street from 7:00 P.M. to 10:00 P.M., May 12, 1979, as requested by Ms. Mini McKinney, representing Austin Contemporary Visual Arts Association. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember  
Himmelblau

Noes: None

Mayor Pro Tem Goodman moved that the Council adopt a resolution to temporarily close 35th Street, Foothill Drive and Mt. Bonnell Drive from 5:30 P.M. to 11:30 P.M., May 18, 1979, 7:00 A.M. to 11:00 P.M., May 19, 1979 and 7:00 A.M. to 11:00 P.M., May 20, 1979, as requested by Scott Keller representing Women's Art Guild/Laguna Gloria Fiesta. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember  
Himmelblau

Noes: None

## ECA-ADVANCE TRAINING

Mayor Pro Tem Goodman moved that the Council adopt a resolution authorizing a contract with the State Health Department, EMS Division for ECA-Advance Training for the Austin Fire Department. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember  
Himmelblau

Noes: None

## RAIL CAR MAINTENANCE-FAYETTE POWER PROJECT

Mayor Pro Tem Goodman moved that the Council adopt a resolution to enter into an agreement with LCRA concerning a rail car maintenance facility in connection with the Fayette Power Project. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember  
Himmelblau

Noes: None

## BOARD AND COMMISSION APPLICATIONS

Mayor Pro Tem Goodman moved that the Council adopt a resolution implementing a policy that all applications to serve on City Boards and Commissions shall remain active for one year from the date of submission to the City Clerk. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember Himmelblau

Noes: None

## REORGANIZATION OF THE PUBLIC WORKS DEPARTMENT - BUDGET AMENDED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1978-1979, BY TRANSFERRING \$45,746.00 FROM THE BUDGET OF THE ENGINEERING DEPARTMENT AND \$332,208.00 FROM THE BUDGET OF THE CONSTRUCTION MANAGEMENT DEPARTMENT TO THE BUDGET OF THE PUBLIC WORKS DEPARTMENT FOR THE PURPOSE OF IMPLEMENTING THE REORGANIZATION OF THE PUBLIC WORKS DEPARTMENT; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, effective immediately. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen

Noes: None

The Mayor announced that the ordinance had been finally passed.

## RULES ORDINANCE - BUDGET AMENDED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1978-1979 BY APPROPRIATING \$10,000 FROM THE GENERAL FUND ENDING BALANCE TO IMPLEMENT THE RULES ORDINANCE ADOPTED BY THE CITY COUNCIL; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen

Noes: None

The Mayor announced that the ordinance had been finally passed.

## MUNICIPAL AUDITORIUM MARQUEE - BUDGET AMENDMENT

Mayor McClellan introduced the following ordinance:

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen  
Noes: None

The Mayor announced that the ordinance had been finally passed.

## APPROPRIATION FOR RESEARCH ON PERMEABLE PAVEMENTS

Mayor McClellan introduced the following ordinance:

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen  
Noes: None

The Mayor announced that the ordinance had been finally passed.



## CETA TITLE FUNDS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 780925-A, ANNUAL BUDGET ORDINANCE FOR FISCAL YEAR 78-79, BY ACCEPTING AND APPROPRIATING \$60,000 IN COMPREHENSIVE EMPLOYMENT AND TRAINING (CETA) TITLE III, HELP THROUGH INDUSTRY RETRAINING AND EMPLOYMENT (HIRE II) PROGRAM FUNDS FOR FACILITATING ON-THE-JOB TRAINING AND THE JOB PLACEMENT OF VETERANS THROUGH A VETERANS' OUTREACH PROGRAM; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen  
Noes: None

The Mayor announced that the ordinance had been finally passed.

## COUNCIL MEETING CHANGED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PROVIDING THAT THE CITY COUNCIL MEETING OF MAY 31, 1979, SHALL BEGIN AT 6:00 P.M. INSTEAD OF 9:00 A.M.; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen  
Noes: None

The Mayor announced that the ordinance had been finally passed.

## PAVING ASSESSEMENTS HEARING POSTPONED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 790412-B, ENACTED APRIL 12, 1979, BY AMENDING THE CAPTION THEREOF AND SECTION 4 THEREOF AS TO THE TIME AND PLACE OF PUBLIC HEARING ON PROPOSED PAVING ASSESSMENTS FOR THE CAPITAL IMPROVEMENTS PROGRAM, STASSNEY LANE, PHASE II, CONTRACT NUMBER 78-Pa-124, SERIAL NO. 73/62-30, C.I.P. PROJECT NO. 6229 0, BY CHANGING THE SAME FROM 10:00 O'CLOCK A.M. ON THE 31ST DAY OF MAY, 1979, IN THE CITY OF AUSTIN MUNICIPAL ANNEX, TO 6:30 O'CLOCK P.M.

ON THE 31ST DAY OF MAY, 1979 IN THE CITY OF AUSTIN MUNICIPAL ANNEX; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### ON-GOING OF GOALS ASSEMBLY COMMITTEE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PROVIDING FOR TWO-YEAR STAGGERED TERMS EXPIRING JUNE 1 FOR MEMBERS OF THE ONGOING OF GOALS ASSEMBLY COMMITTEE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: A 1.53 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,  
TRACT 2: A 5.57 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,  
TRACT 3: A 6.14 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT, ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 7903-8003 MANASSAS DRIVE AND 8008-7806 MANCHACA ROAD; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (John McPhaul, C14-78-231)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro  
Tem Goodman, Councilmember Mullen

Noes: None

Abstain: Councilmembers Cooke, Himmelblau

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 24, SAVE AND EXCEPT THE WESTERMOST 10 FEET AND THE SOUTHERNMOST 25 FEET WHICH ARE HEREBY ZONED FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, BLOCK "A", CIRCLE "S" RIDGE, SECTION 1; LOCALLY KNOWN AS 704-706 CORRAL LANE AND 7100-7114 MUSTANG TRAIL; FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (David M. Bryant, Jr., C14-78-230)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor  
Pro Tem Goodman, Councilmember Himmelblau

Noes: None

Abstain: Councilmembers Cooke, Mullen

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 42, LESS THE SOUTH 10 FEET, AND LOT 43, LESS THE SOUTH 10 FEET, SUNSET VIEW SUBDIVISION, SECTION ONE, LOCALLY KNOWN AS 1308 ANDERSON LAND, ALSO BOUNDED BY TISDALE DRIVE; FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Frances Pfluger Dikeman, C14-77-099)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: A 10.71 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND, TRACT 2: A 9.14 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 11201 U. S. HIGHWAY 183; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Truman H. Montandon, C14-78-199)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen  
Noes: None  
Abstain: Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: A 30,685 SQUARE FOOT TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND, TRACT 2: A 58,148 SQUARE FOOT TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND, TRACT 3: A 21,700 SQUARE FOOT TRACT OF LAND, FROM "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND, TRACT 4: A 29,960 SQUARE FOOT TRACT OF LAND, FROM "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND, TRACT 5: A 21,315 SQUARE FOOT TRACT OF LAND, FROM "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 6: A 10,565 SQUARE FOOT TRACT OF LAND, FROM "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND, TRACT 7: A 14,475 SQUARE FOOT TRACT OF LAND, FROM "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 2701-2801 DEATONHILL, 2624 WILLIAM CANNON DRIVE, 2620 LAZY OAKS DRIVE, 7001 DEATONHILL DRIVE AND 7000 DEATONHILL DRIVE; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (NPC Realty Company, C14-78-200)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 19-22, BLOCK 2, R. NILES GRAHAM SUBDIVISION NO. 2, FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, SECOND HEIGHT AND AREA DISTRICT; AND,  
LOTS 13-16, BLOCK 2, R. NILES GRAHAM SUBDIVISION NO. 2, FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "O" OFFICE, SECOND HEIGHT AND AREA DISTRICT; SAVE AND EXCEPT LOT 11, BLOCK 2, R. NILES GRAHAM SUBDIVISION NO. 2, WHICH SHALL REMAIN ZONED "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 1701-1711 WEST 6TH STREET (EXCLUDE 1709) AND 1704-1710 WEST 5TH STREET; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Walter Wendlandt, C14-78-172)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Trevino, Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen  
Noes: None  
Abstain: Councilmember Snell, Mayor McClellan

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 38.73 ACRE TRACT OF LAND, LOCALLY KNOWN AS 750-826 AND THE REAR OF 876-998 ED BLUESTEIN BOULEVARD, 6101-6403 BOLM ROAD, AND 701-1015 GARDNER LANE; FROM "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Housing Authority of Austin (Odas Jung) C14-73-239)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan brought up the following ordinance for its third reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 1.56 ACRE TRACT OF LAND, LOCALLY KNOWN AS 900-1012 WILLIAM CANNON DRIVE AND 6705-6709 EMERALD FOREST DRIVE; FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (Edward R. Rathgeber, Jr., & Jessie B Anderson, C14-79-021)

The ordinance was read the third time, and Councilmember Himmelblau moved that it be finally passed. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Snell, Mayor McClellan, Councilmembers Himmelblau, Mullen  
Noes: Councilmembers Trevino, Cooke, Mayor Pro Tem Goodman

The Mayor announced that the ordinance had been finally passed.

## COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

The Council had before it for consideration the Community Development Block Grant (CDBG) Application, which had already undergone an extensive public hearing.

Motion

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following funds for this year's appropriation:

<u>Project</u>	<u>Amount</u>	<u>Comments</u>
Standard Rehabilitation Program Urban Renewal	\$1,742,225	As Recommended
Section 312, Urban Renewal	116,775	As Recommended
Emergency Repair Urban Renewal	162,400	As Recommended
Section 8 Rehabilitation Urban Renewal	53,550	As Recommended
Urban Renewal Administration	385,000	Change from amount Recommended
*Councilmember Mullen made a Friendly amendment to require the Agency to return to the Council on how to spend the allotment before receiving the funds, which was accepted.		
Housing Counseling Urban League	61,535	As Recommended
Rental Repair Assistance Tenants Council	17,252	
East Austin Multipurpose Center	88,000	As Recommended
St. Johns Health Clinic		Recommended for GRS Funds
Clarksville Health Clinic		Recommended for GRS Funds
Code Enforcement - Demolition Building Inspection	20,000	As Recommended
Code Enforcement - Relocation Building Inspection	45,000	As Recommended
Corridors Project - Commercial Rehabilitation	960,000	As Recommended

Councilmember Cooke pointed out that \$500,000 had been set aside for loan indemnification and \$460,000 could be used for facade restoration grants. He thought that additional consideration should be given to facade restorations.

Mayor Pro Tem Goodman added that the National Business League (NBL) had requested \$61,000, but what had been envisioned was that NBL or some other agency would do an RFP procedure and seek some of the \$960,000 for the same service.

Family Place	\$200,000	Stipulation that a better lease agreement be worked out with AISD with an understanding that if lease is cancelled, Family Place receives half of the approval plus depreciation schedule from AISD and City to receive half of that half.
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Councilmember Trevino inquired whether it was true that the City would be asked again next year for a significant increase. Councilwoman Himmelblau replied that it was her understanding that this year's request would be the last one. Mayor McClellan then asked for clarification. PHYLLIS NUGEST stated that the focus next year would be on private money and the City was not included at this point. About \$400,000 had been raised from other sources.

French Legation Complex	\$622,000	Recommended by PC and JSC
Community Development Credit Union (Urban League)	28,504	As Recommended
Market Study Human Services Department	25,000	As Recommended
Planning and Administration Human Services Department	280,000	As Recommended
Housing Planning Planning Department	81,945	As Recommended
Qunitanilla House	30,000	Stipulation that clear title be obtained

Councilman Trevino stated that the use of CETA should be encouraged for the actual hiring of individuals to help renovate the Quintanilla House.



Councilman Cooke pointed out that about \$10,000 were needed to bring the house up to minimum standards for historic zoning consideration. It might be possible to activate the Historic Revolving Loan Fund for a loan to further upgrade the Quintanilla House.

Center for Battered Women	\$75,000	As Recommended
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Councilwoman Himmelblau stated that there would be a contingency fund of \$217,864.

Second to Motion

Mayor Pro Tem Goodman seconded Councilwoman Himmelblau's motion.

Councilman Mullen asked what the future plans were for the Center for Battered Women regarding fund raising and the City's possible future participation.

Councilwoman Himmelblau did note that the City should be considered the only funding source and suggested that LEAA funds might be available through Criminal Justice funds.

There was discussion regarding an additional \$30,000 for bringing the Center's building up to City Code standards. Albert De La Rosa, Assistant City Attorney, stated that he did not believe that the \$30,000 for rehabilitation of the structure was eligible for CDBG funding; however, the \$75,000 for expansion of the program was eligible. It was his understanding that if the City allocated the \$75,000, then there was an implicit commitment to spend \$30,000 from other City funds for the rehabilitation of the structure.

Councilman Mullen asked how much money would be used for expansion. DEBBY MIESMER, representing the Center, stated that \$23,600 would be needed for the second floor. \$8,000 would be used to enclose the front porch.

City Manager Davidson asked if administration expenses would increase with the expansion. Ms. Meisner said "Yes," and pointed out other possible sources of funding. If Governor Clements did not veto a shelter bill today, then it automatically became law giving each shelter in the State \$50,000. A Federal bill was also moving through Congress which was supposed to be better than the previous bill. However, if CETA funds were unavailable, then the Center probably would have to increase its request for funds.

Councilman Trevino asked what other funding sources the Center had besides the City. Ms. Meisner said that there was County funding and a grant from the Junior League toward improving the building. The Center was in the process of becoming a member of the United Way.

Councilman Trevino suggested that the amount of funds in question could be put into contingency and the problem resolved later.

Substitute Motion

Mayor Pro Tem Goodman moved that the Council approve \$75,000 for the Center for Battered Women. Mayor McClellan seconded the motion.

Councilman Snell called the Council's attention to a letter before them from Mr. Everett Freeman who expressed concern about the Rosewood Neighborhood/MHMR Center and Montopolis Neighborhood Center. Funding for the Centers was to be considered under Revenue Sharing and Councilman Snell hoped that the Council would be willing to fund those projects. Several Councilmembers expressed their support for the projects under Revenue Sharing.

In response to Councilman Snell's question, Ms. Meisner said that part of the \$75,000 would be used to repair the driveway.

In response to Councilman Mullen's question, Mayor Pro Tem Goodman stated that his motion did not include a contingency that the \$30,000 must be obtained from some source other than the City to receive the \$75,000. However, he did encourage the Center to seek other support.

In response to Councilwoman Himmelblau's question, Ms. Meisner said that expansion would increase capacity to about 25 persons.

Councilwoman Himmelblau felt that the neighborhood deserved the courtesy of another public hearing before the Center was expanded.

Councilman Cooke stated that there was an implicit statement by the Council by voting the \$75,000, that the size of the facility was being doubled where there might be a problem with the neighborhood which had opposed the original size. He also felt that it was implied that the City would come up with the additional \$30,000 for rehabilitating the structure. He felt that the proposed funds should be placed in contingency until the two matters were resolved. He did not want to lock in the City.

Vote on Substitute Motion

Roll call on the substitute motion to approve \$75,000 in CDBG funds for the Center for Battered Women, showed the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Goodman, Councilmembers  
Himmelblau, Mullen, Snell, Trevino  
Noes: Councilmember Cooke

Restatement of Original Motion

Councilwoman Himmelblau restated her motion to adopt a resolution to approve funds as listed for this year's appropriation, but with deletion of the Center for Battered Women. Mayor Pro Tem Goodman again seconded the motion.

Mayor McClellan suggested that since Urban Renewal's request had been cut that the Agency return in 30 days and indicate how the money was to be spent, subject to Council approval.

Councilman Mullen proposed that funding be tied to the selection of a new executive director.

\*The Council agreed not to include Councilman Mullen's proposal, but agreed to require the Agency to return to the Council on how to spend the allotment before receiving funds.

Budget Director Daron Butler raised a question as to how the reduction in the Urban Renewal Agency budget would be applied. Councilwoman Himmelblau stated that she wanted to see administrative overhead close to 18% of the grant total as well as doing something to the Agency's legal arrangements. She was not interested in having the balance taken from designated programs.

She was willing to look at what had just been discussed by other Councilmembers, but thought that the Agency's administrative overhead for the last two or three years had been excessive and that the legal budget had been excessive. She did not want to remove funds from certain categories, such as standard rehabilitation.

Mr. Butler pointed out that the Council was expecting significant new activities on the Agency's part in the coming years and that the capability to meet those expectations would be needed.

Councilman Cooke stated that he thought the Council would expect the Agency to submit what the cost of the new and significant tasks would be once applied. If the new tasks were assigned, then the Agency would have to come back for a budget modification.

City Manager Davidson commented that he had no problem in working with that consideration as long as those people having to work with whatever the Council appropriated understood that the Council might have some additional policy directions for the Urban Renewal Agency to execute. Some communication was needed as to how that responsibility would be funded. It would be an important tool in the overall economic development concept.

Councilman Snell asked about funding for Clarksville housing. Councilwoman Himmelblau said that in her motion she was considering \$50,000 in contingency funds for the Clarksville project but not with the group which wanted to administer it.

Councilman Cooke thought that the Council should be extremely receptive to neighborhood development corporations and that specific organizational models should be outlined since a number of those entities were beginning to spawn due to the whole economic thrust of the Council. It should not be implied that by not funding the Clarksville Community Development Corporation today that the Council was not receptive to such corporations. Certain parameters as far as organization and ability to administer funds should be met.

City Manager Davidson asked if the funding conditions shown on the work sheets which were before the Council were part of the motion. Councilwoman Himmelblau replied, "Yes."

Following are the conditions as supplied to the City Clerk by Mr. Buck Apelt, Acting Director, Human Services Department:

CDBG BUDGET

<u>PROJECT</u>	<u>CONDITIONS</u>	<u>79-80</u>
<u>I. HOUSING</u>		
A. Standard Rehabilitation Program (Urban Renewal Agency)	Provided that no fewer than 88 of the 175 units be reserved for the NSA and that particular emphasis be given to defined revitalization areas, e.g., corridors. Subject to modification, based upon Agency's ability to achieve quarterly performance milestones.	\$1,742,225
B. Section 312 Rehabilitation Loan Program (Urban Renewal Agency)	Subject to modification upon final notification of 312 funds available to Austin; special priority to be given to loan applications received from defined revitalization areas.	116,775
C. Emergency Repair Program (Urban Renewal Agency)	To be reserved for correction of occupancy conditions threatening to life, health, or safety, in the absence of any other source of assistance.	162,400
D. Section 8 (NSA) Substantial Rehabilitation Program (Urban Renewal Agency)	Particular emphasis to be given to units within, or adjacent to, defined revitalization areas.	53,550

E. Loan Indemnification and Acquisition Rehabilitation (Urban Renewal Agency)	Priority to be given to defined revitalization area, secondarily to NSA.	-0-
F. Housing Counseling Program (Urban League)	Restricted to operations within the NSA.	\$ 61,535
G. Rental Repair Assistance Program (Austin Tenants Council)	Focus restricted to NSA.	17,252

NEIGHBORHOOD FACILITIES AND IMPROVEMENTS

A. Code Enforcement (Building Inspections)		
1. Demolition	Emphasis to be given to defined revitalization areas.	20,000
2. Relocation	Emphasis to be given to defined revitalization areas.	45,000
B. Expansion of French Legation Complex (Property Management Department)		622,000
C. Corridors Project (Human Services Department)		
1. Business Rehabilitation		500,000
2. Business Rehabilitation		
Facade, Technical Assistance	RFP to be developed for purchase of business/technical assistance service	460,000
3. Physical Development		500,000
D. East Austin Multipurpose Center		88,000

ECONOMIC DEVELOPMENT

Community Development Credit Union (Urban League)	Six-month feasibility study to decision point; \$14,250 allowable for this phase.	28,504
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PLANNING AND ADMINISTRATION

A. Market Study (Human Services Department)	In conjunction with corridors projects if needed; funding to be sought from EDA, if possible	\$ 25,000
B. Human Services Department Administration and Planning		280,000
C. Planning Department - Housing Assistance Plan		81,945
D. Urban Renewal Agency - Administration	Proposed use plan to be submitted to City (Additional condition required in Motion.)	385,000

OTHER

Center for Battered Women	Contingent upon obtaining \$30,000 from other sources. (Condition not accepted)	75,000
Quintanilla House (Carnales, Inc.)	Clear title to be obtained by Carnales, Inc.	30,000
Family Place	Should work to secure other funding and negotiate better lease with AISD	200,000
Contingency		217,814

TOTAL \$ 5,712,000

Roll Call on Motion

Ayes: Councilmember Trevino, Mayor McClellan, Councilmember Cooke,  
Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell  
Noes: None

## RIVERSIDE DRIVE PAVING ASSESSMENTS

Mayor McClellan opened the continued public hearing and levying the assessments on the following; and passage of Ordinance:

RIVERSIDE DRIVE covering approximately 19-1/2 blocks.  
C.I.P. No. 73/62-03

Mr. John German, Director of Public Works, reviewed the history of the Riverside Drive paving project, pointing out improvements to the area by the project. Twenty-eight of the effected property owners had already paid their assessments. The purpose of today's hearing was to hear from owners of 13 other parcels. Based on the appraiser's report last November, total enhancement was about \$159,000. After reanalyzing each parcel, the new appraisal totalled about \$116,000, for a \$43,000 reduction. Nine parcels were reduced by the study, while 4 were increased in value. He pointed out that the City could not assess more than the enhanced value. In two instances (Parcels 11 and 13) the assessment amount was lower than the enhancement. However, it had always been City policy to consider only the assessment amount.

Mr. James Riggs, Assistant City Attorney, in conjunction with Mr. Tom Wiley, reviewed Mr. Wiley's qualifications as a real estate appraiser.

On questioning by Mr. Riggs, Mr. Wiley said that he had made a previous appraisal of the property under discussion and had made a second appraisal on instructions from the City's Legal Department. Prior to November, 1978, his instructions had been more or less to limit the consideration in the project to the project itself in the sense of paving and curbing. After the November, 1978 hearing in a meeting with City Attorney Harris, Mr. Wiley was instructed to expand the considerations to include all special benefits, such as access, flood plain problem, driveway problem, any market consideration. Mr. Wiley had re-examined each of the 13 parcels under consideration today.

Mr. Wiley than gave his opinion of enhanced value on the 13 parcels as follows:

<u>Parcel No.</u>	<u>Assessment Amount</u>	<u>Amount Benefit To Value</u>
1	\$ 8,577.18	\$ 5,800.00
2	8,875.17	-0-
3	10,060.55	6,000.00
4	58,286.56	26,945.00
5	9,994.78	-0-
6	18,431.43	7,000.00
7	6,930.59	4,850.00
8	5,263.82	4,490.00
9	7,540.38	6,148.00
10	24,818.81	17,097.00
11	6,193.38	11,674.00
12	32,522.44	21,814.00
13	10,622.81	12,596.00

Mr. Wiley noted that Parcels 11 and 13 were enhanced more than the assessed amounts. He further stated that two parcels (2 and 5) were not enhanced and the balance (1, 3, 4, 6, 7, 8, 9, 10 and 12) were partially enhanced.

Mayor McClellan then opened the floor to discussion on the subject properties as follows:

Parcel 1 - 2100 East Riverside Drive

Will Garwood, representing the owner at the time of assessment, stated that Mr. Wiley's report indicated a driveway approach to the property. Mr. Garwood stated that no driveway approach was being furnished. He noted that Parcel 1 was claimed to be benefited at a rate of \$38 plus per foot; Parcel 2 was zero; Parcel 3 was \$22 per foot and Parcel 4 was \$17 per foot. Mayor McClellan asked for clarification on the assessments.

Mr. Wiley stated that the primary benefit to Parcel 1 was the corner location; Parcel 2 was in a hole and had a drainage problem to the east, but was not in the flood plain; Parcel 3 had a drainage facility but was enhanced primarily due to removal from the 100-year flood plain.

Mr. Garwood stated that the median on Riverside Drive did not help Parcel 1. He also felt that there was a serious legal problem which he wished to discuss with the City Attorney. He did not feel that Parcel 1 should be regarded as abutting property because the City owned a strip of land of about 4 acres between Riverside Drive and Parcel 1.

Mayor Pro Tem Goodman moved that the Council postpone consideration of the paving assessment on 2100 East Riverside Drive, in order to give Mr. Garwood an opportunity to review the situation with the Legal Department. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan  
Noes: None

Parcel 2 - 2120 East Riverside Drive

Mayor Pro Tem Goodman moved that the Council approve the assessment on Parcel 2 - 2120 East Riverside Drive as follows:

-0-

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

Parcel 3 - 2200 Riverside Drive

Mr. Jim Brady stated that there have been no special benefits as a result of the project. The median prevents east bound traffic to turn on the property and as a result, has damaged the property for commercial use. In addition, there is a flood plain problem. Mr. Brady further stated that he was somewhat confused by the assertion that there has been an increase because of driveway access, when in fact, he has a bid stating that it will cost \$40,000 to put in a concrete culvert.



Mr. Wiley spoke to the issue noting that he had taken into consideration the problem of access to the tract; but, he further stated that the access problem is off-set by the benefit of the tract being removed from the flood plain.

Mr. Brady disputed Mr. Graves' assertion that the culvert would have been the same size regardless of whether or not the tract is developed. Mr. Graves said that if the City had done nothing at all to Riverside Drive, it still would have been necessary to build the drainage ditch and culvert to carry the water.

Mayor Pro Tem Goodman inquired of Mr. Brady as to whether or not the tract is now more developable and if the value has been enhanced in that regard.

Mr. Brady replied, "From the standpoint of the street is in and we don't have the construction going on, obviously it is; but, from the standpoint of the improvements that are on it, because of the nature of the configuration of the easement that was taken and because solving the problems...a berm along this creek area would have solved the problem on which we could have parked and it would not have been that difficult to construct. We would have been out of the 100 and 25-year flood plain. Also, by placing that berm, we had been indicated that the access problem would not be as expensive as it is now; so, from a development standpoint, we feel the tract is not any more developable now."

Councilmember Mullen moved that the Council approve the assessment on Parcel 3 - 2200 Riverside Drive as follows:

\$6,000

The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Goodman

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

Parcel 4 - 2300 to 2366 East Riverside Drive

Donald Dumas, representing the owner, questioned whether or not the property in question has received any special benefit, as opposed to community benefit. He requested an opportunity to review the report with the appraiser, as well as the Legal Department, and determine exactly what margins of error there are and how that would effect the appraiser's assessment of enhancement to the property. The appraiser indicated that there is a possible 100% margin of error in one area and 25% in the other.

Councilmember Mullen moved that the Council postpone consideration of the paving assessment on 2300 to 2366 East Riverside Drive, in order to give Mr. Dumas an opportunity to review the report with the appraiser and the Legal Department. The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember Himmelblau

Noes: None

Parcel 5 - 1633 to 1653 East Riverside Drive

Councilmember Mullen moved that the Council approve the assessment on Parcel 5 as follows:

-0-

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen  
Noes: None

Parcel 6 - 2003 East Riverside Drive

Councilmember Mullen moved that the Council approve the assessment on Parcel 6 as follows:

\$7,000.00

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen, Snell  
Noes: None  
Not in Council Chamber when roll was called: Mayor Pro Tem Goodman

Parcel 7, Parcel 8, Parcel 9

Councilmember Mullen moved that the Council postpone action for 30 days on Parcels 7, 8 and 9. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen, Snell, Trevino  
Noes: None  
Not in Council Chamber when roll was called: Mayor Pro Tem Goodman

Parcel 10 - Southwest corner of Pleasant Valley Road and East Riverside Drive

Councilmember Trevino moved that the Council approve the assessment on Parcel 10 as follows:

\$17,097

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan  
Noes: None  
Not in Council Chamber when roll was called: Mayor Pro Tem Goodman

Parcel 11 - Southeast corner of Pleasant Valley Road and East Riverside Drive

Councilmember Cooke moved that the Council approve the assessment on Parcel 11 as follows:

\$6,193.38

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino,  
Mayor McClellan, Councilmember Cooke

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem Goodman

Parcel 12 - Southwest corner East Riverside Drive and Wickersham Lane  
andParcel 13 - Southeast corner East Riverside Drive and Wickersham Lane

Councilmember Mullen moved that the Council approve the assessments on Parcel 12 and Parcel 13 as follows:

Parcel 12 - \$21,814.00

Parcel 13 - \$10,622.81

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino,  
Mayor McClellan, Councilmember Cooke

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem Goodman

Paving Ordinance Passed

Mayor McClellan introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE. (East Riverside Drive - Parcels 2, 3, 5, 6, 10, 11, 12 and 13)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem Goodman

The Mayor announced that the ordinance had been finally passed.

#### ZONING HEARINGS

Mayor McClellan announced Council would hear zoning cases scheduled for 10:00 A.M. Pursuant to published notice thereof, the following zoning cases were publicly heard:

GARY HALDEMAN  
By Ken Harris  
C14-79-047

Front of 1901-1905  
Kinney Avenue

From "BB" Residence  
1st Height and Area  
To "A" Residence  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Mullen moved that the Council grant "A" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember Himmelblau

Noes: None

The Mayor announced that the change had been granted to "A" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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MODELLE BALLARD, 10304 North Lamar  
ROBERT G. BALLARD, 803 Neans Drive  
JOHN R. BALLARD &  
CHARLES W. BALLARD  
By John R. Ballard  
C14-79-048

From Interim "AA" Residence  
1st Height and Area  
To "GR" General Retail  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Mullen moved that the Council grant "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember  
Himmelblau  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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NPC REALTY COMPANY	1721-1821 Kramer Lane	From "BB" Residence
By James Siepiela	10418-10502 Macmora Road	1st Height and Area
C14-79-051		To "A" Residence
		1st Height and Area
		RECOMMENDED by the Planning Commission

Councilmember Mullen moved that the Council grant "A" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember  
Himmelblau  
Noes: None

The Mayor announced that the change had been granted to "A" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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NELSON PUETT, JR.	5332 Manchaca Road	From "GR" General Retail
By Rodney Sheppard		1st Height and Area
C14-79-056		To "C-1" Commercial
		1st Height and Area
		RECOMMENDED by the Planning Commission

Councilmember Mullen moved that the Council grant "C-1" Commercial, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember  
Himmelblau  
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

O. G. ANDERSON  
By Ken Harris  
C14-79-004

Rear of 1901-1905  
Kinney Avenue

From "BB" Residence  
1st Height and Area  
To "C" Commercial  
1st Height and Area

RECOMMENDED by the Planning  
Commission subject to a six (6) foot  
privacy fence along the northern,  
southern and westernmost boundaries of  
subject tract.

Councilmember Trevino moved that the Council grant "C" Commercial, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmember  
Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau,  
Mullen, Snell

Noes: None

The Mayor announced that the change had been granted to "C" Commercial, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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C. M. BUILDERS,  
INC.  
By Charles Marsh  
C14-79-053

1507 West 6th Street

From "O" Office  
2nd Height and Area  
To "LR" Local Retail  
2nd Height and Area  
NOT Recommended

RECOMMENDED by the Planning  
Commission "LR" Local Retail, 1st Height  
and Area, noting that the applicant has  
volunteered a restrictive covenant limit-  
ing the use for a sign not to exceed ten  
feet in height and will attempt to seek a  
variance from the Board of Adjustment so  
he can build a sign that is more appro-  
priate to his needs.

Councilmember Mullen moved that the Council grant "LR" Local Retail, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell, Trevino

Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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LAND EQUITIES, INC.  
By John Brazier  
C14-79-055

6413-6811 Interstate 35,  
also bounded by La Posada  
Drive and Atkinson Road

From "C" Commercial  
6th Height and Area  
To "C" Commercial  
2nd Height and Area  
NOT Recommended

RECOMMENDED by the Planning  
Commission "C" Commercial, 2nd Height  
and Area save and except for a 100-  
foot strip of "C" Commercial, 6th  
Height and Area on the westernmost  
boundary.

Councilmember Mullen moved that the Council grant "C" Commercial, 2nd Height and Area District, save and except for a 100-foot strip of "C" Commercial, 6th Height and Area District on the westernmost boundary, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell, Trevino

Noes: None

The Mayor announced that the change had been granted to "C" Commercial, 2nd Height and Area District, save and except for a 100-foot strip of "C" Commercial, 6th Height and Area District on the westernmost boundary, and the City Attorney was instructed to draw the necessary ordinance to cover.

J. T. HEWLETT,  
JR. & DAWN HEWLETT  
SHACKELFORD  
By Fred Powers, Jr.  
C14-79-064

72-74 East Avenue

From "A" Residence  
1st Height and Area  
To "GR" General Retail  
1st Height and Area  
NOT Recommended

RECOMMENDED by the Planning  
Commission "GR" General Retail, 1st  
Height and Area save and except for a  
one-foot strip of "A" Residence, 1st  
Height and Area, on the rear of subject  
property.

Councilmember Mullen moved that the Council grant "GR" General Retail, 1st Height and Area District, save and except for a one-foot strip of "A" Residence 1st Height and Area District on the rear of subject property, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell, Trevino

Noes: None

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, save and except for a one-foot strip of "A" Residence, 1st Height and Area District on the rear of the subject property, and the City Attorney was instructed to draw the necessary ordinance to cover.

DR. LLOYD A &  
ALYCE DOGGETT  
By Lloyd Doggett  
C14-79-052

1402 West Avenue

From "A-H" Residence-Historic  
1st Height and Area  
To "O-H" Office-Historic  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Cooke stated: "I believe that the Minutes (Planning Commission) reflected that going to "O-H" zoning on this particular property was consistent with zoning changes northward. As I recall, I know there was a case that came before us on the Caswell House and I don't believe I voted on that, and I want it entered into the record that I don't necessarily feel, while we did vote to give to the Caswell House "O" Office zoning, it's on the corner, and continued "O" zoning down that street is not and has not been consistent with this Council's policy about trying to, as best possible, provide additional protection to this West Austin neighborhood that had consistently gone "O" for the last several years and if we're trying to bring back residential living that we're not consistent by going to "O" zoning on this particular tract which is getting on into the neighborhood and I feel like if we go "O" here then we necessarily might go "O" on the next one and the next one and I just don't feel that's consistent with what we've talked about as far as neighborhood preservation...especially in this area. So I have some concerns with the fact it's consistent with zoning changes. I think it also speaks to a statement that was made earlier this year that deals with 183 that while it may be a historic precedence and it may still be the attitude of this Council that because the property adjacent to another property is zoned one way that the precedent has been set and therefore that property owner is more likely, or there is a tendency to guarantee that property owner similar zoning. I don't necessarily feel that philosophy is a good philosophy to continue with and have spoke in opposition to that philosophy when we talked about the 183 zoning and I think it's applicable all over the country."

Mayor McClellan said, "I remember we did the zoning for the veterinary clinic. It is an area where we've recognized that we have mixed use zoning and I think the fact that it's zoned "H" Historic will help keep it with the character of the neighborhood. .... I don't object to the "O-H".

Councilmember Himmelblau moved that the Council grant "O-H" Office-Historic, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen,  
Snell, Trevino, Mayor McClellan  
Noes: Councilmember Cooke

The Mayor announced that the change had been granted to "O-H" Office-Historic, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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May 3, 1979

C. M. BUILDERS,  
INC.  
By Charles Marsh  
C14-79-054

1509 West 6th Street  
also bounded by Powell  
Street

From "B" Residence  
2nd Height and Area  
To "O" Office  
2nd Height and Area

RECOMMENDED by the Planning  
Commission subject to dedication of six  
feet of right-of-way on Powell Street.  
The staff is to study the effect of  
rolling back to 1st Height and Area. If  
it has no detrimental effect on the  
applicant the Commission would then  
recommend to Council to request applicant  
to amend application to 1st Height and  
Area.

Mr. Lillie reviewed the application by use of slides. Mr. Marsh, representing the applicant, expressed his objection to dedication of 6 feet of right-of-way because there will not be enough room for parking. He said he also owns the other side of the street and has already given 6 feet of right-of-way there.

Councilmember Cooke moved that the Council grant "O" Office, 2nd Height and Area District, as recommended by the Planning Commission, subject to conditions, except delete 6 foot right-of-way. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Councilmember Cooke, Mayor Pro Tem Goodman  
Noes: None

The Mayor announced that the change had been granted to "O" Office, 2nd Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

Mr. Lillie stated, "One thing we might request of the Urban Transportation Department...there are a lot of streets in the west Austin area, as you notice from your staff report map, that are not 50 feet of right of way. They are 40 and 35, and in some instances it may be possible here to rather than force a 50-foot right-of-way, retain the existing right-of-way but maybe change the circulation to one-way streets or something like that, and I think a report from them dealing with some of these streets where right-of-way under current ordinances are required, come back in and make some planned adjustments or some ordinance adjustments that would allow redevelopment to take place without the dedications might be appropriate at this point."

#### Motion

Councilmember Mullen moved that the Council ask Urban Transportation to report on ordinance adjustments that would allow redevelopment without dedication in this area. The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember  
Himmelblau  
Noes: None

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## RECESS

Council recessed its meeting at 12:10 P.M. and resumed its recessed meeting at 2:10 P.M.

R & R REINFORCING, 505-507 Chaparral Road  
INC.  
C14-79-061

From Interim "AA" Residence  
1st Height and Area  
To "C" Commercial  
1st Height and Area (as  
amended)  
NOT Recommended by the Planning  
Commission  
RECOMMENDED "A" Residence  
1st Height and Area

Mr. Lillie reviewed the application. He said there is a petition with 49% of the residents, but it is not valid since the present zoning is interim. MR. LESLIE MILLER, representing R & R Reinforcing, informed Council they are a sub-contracting firm of reinforcement steel for concrete foundations. He requested Council to allow them a restrictive covenant to roll back if R & R is no longer in business there. He said they want to build a storage shed and will negotiate anything the Council wants in order to be able to build. Councilmember Himmelblau asked if the recommended zoning is granted, whether the residential atmosphere of the neighborhood would be lost. Mr. Lillie answered that it is a mixed use area now and there is that possibility.

MRS. JOYNCE BLUEMEIER, who lives in the area, said she is against R & R building on the lot. She said the area is residential and not suitable for 18-wheel trucks.

WALLACE LESSOR lives next door to R & R. He is not in favor of any zoning change.

D. H. EVANS, who lives in the area, said the Planning Commission did not recommend the change and he agrees with the Planning Commission.

Leslie Miller returned to say that a shed would eliminate the evidence of an unsightly sight for the neighborhood. R & R wants to stay in the neighborhood and wants to improve their looks.

Councilmember Cooke was afraid a precedent would be set if they voted "C" Commercial.

Motion

Councilmember Cooke moved that the Council grant "A" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion was seconded by Councilmember Himmelblau.

Mayor Pro Tem Goodman questioned granting "AA" so duplexes could not be built on the site.

Substitute Motion

Mayor Pro Tem Goodman moved that the Council grant "AA" Residence, 1st Height and Area District. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmember Cooke,  
Mayor Pro Tem Goodman, Councilmembers Himmelblau, Snell  
Noes: Councilmember Mullen

The Mayor announced that the change had been granted to "AA" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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CULLEN CENTER BANK      8717-8831 IH 35  
& TRUST                      800-956 Park Plaza  
By Louis Henna, Jr.      8716-8816 North Plaza  
and Bert Pence  
C14-79-063

From "GR" General Retail  
5th Height and Area  
To "C" Commercial  
5th Height and Area  
NOT Recommended  
RECOMMENDED by the Planning  
Commission "C" Commercial,  
1st Height and Area on front  
half of subject tract

Mr. Lillie reviewed the application by use of slides. Louis Henna said they want to do what is best for the neighborhood. Councilmember Cooke expressed concern that the lighting be placed so it does not shine into the windows of adjoining areas.

Councilmember Cooke moved that the Council grant "C" Commercial, 1st Height and Area District on entire tract with a 6-foot privacy fence on back and 400 feet on northern perimeter and be careful of lighting. The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell, Trevino  
Noes: None

The Mayor announced that the change had been granted to "C" Commercial, 1st Height and Area District subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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SCOTT KELLER  
By Fred Powers, Jr.  
C14-79-033

1199-1191 Curve Street  
1000-1006 Catalpa  
1001-1013 East 12th  
Street

From "C" Commercial and  
"B" Residence  
2nd and 5th Height and Area  
To "O" Office  
2nd Height and Area  
NOT Recommended  
RECOMMENDED by the Planning  
Commission "O" Office, 1st Height and  
Area, subject to agreement by the appli-  
cant for no access onto Catalpa Street  
whatsoever, one curb cut on Curve Street  
and one curb cut on East 12th Street, and  
that it be restricted to office uses  
only.

Mr. Lillie reviewed the application by use of slides. FRED POWERS, representing the applicant, appeared and said the applicant is amenable to accepting the amendments.

Mayor Pro Tem Goodman moved that the Council grant "O" Office, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers  
Mullen, Snell, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Himmelblau

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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HURT HOUSE  
By Roxanne  
Williamson  
C14h-78-039

2210 San Gabriel

From "B" Residence  
2nd Height and Area  
To "B-H" Residence-Historic  
2nd Height and Area  
RECOMMENDED by the Planning  
Commission

Mayor Pro Tem Goodman moved that the Council accept the findings of fact, a, c, f, h, k, l, m and grant "B-H" Residence-Historic, 2nd Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen,  
Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

The Mayor announced that the change had been granted to "B-H" Residence-Historic, 2nd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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May 3, 1979

WILLIAM G. GAMEL      2210 San Gabriel  
By R. Clarke  
Heidrick, Jr.  
C14-79-046

From "B" Residence  
2nd Height and Area  
To "O" Office  
2nd Height and Area  
NOT Recommended  
RECOMMENDED by the Planning  
Commission "O" Office, 1st Height and  
Area, subject to approval of "H" Historic,  
adequate parking to be provided at the  
rear of the site and if the property is  
ever changed from historic designation,  
that it would be rolled back to "BB"  
Residence.

The above two applications were discussed together. Mr. Lillie reviewed the application by use of slides. MR. CLARKE HEIDRICK, representing the applicant, told Council that Dr. Gamel has agreed to "H" Historic zoning and wants it made "O-H" Office-Historic subject to a roll back to "B" Residence in the event at some future date it no longer is a business or the house is demolished. He said the parking will be in the rear and Dr. Gamel is in agreement with everything. Mr. Lillie reminded Council that six votes will be needed to grant "H" Historic zoning because there is a valid petition against "H."

ANNA DRAYER, representing Roxanne Williamson, applicant for "H" Historic zoning appeared and repeated what Ms. Williamson had told Council in the morning. (She had been in the Chamber but could not return for the afternoon hearing, therefore Council asked her to make her statement.) Ms. Williamson said she is for anything that can be done to make "H" property economically viable for owners, and indicated her approval of "O-H" Office-Historic zoning.

BETTY PHILLIPS, Save the University Neighborhood Association, appeared before Council and stated the owner should prove economic hardship in order to have "H" zoning. She said they want people to renovate the houses for residences rather than business.

PAUL COVERT appeared to protest the "O" Office zoning request. He thought instead it should be an American Legion-type zoning so the owner would notify the City of any intent to sell the property.

Mr. Heidrick said that under that stipulation, any time Dr. Gamel wanted to sell he'd have to go through "H" zoning procedure again, he was sure.

MR. JACK EVINS, President, Hyde Park Neighborhood Association, appeared before Council to say that if there is a use change then Council should be sure the property owner is a hardship case.

JIM JONES, who lives at 911 West 22nd, appeared to state he is against "O" Office zoning.

It was determined by Mr. Heidrick, and Councilmember Himmelblau, that economic hardship is not a criteria for "H" Historic zoning. Anna Drayer reappeared to state that there should be a practical compromise to maintain historical structures.

Councilmember Mullen moved that the Council grant as recommended by the Planning Commission "O" Office, 1st Height and Area District, subject to approval of "H" Historic, adequate parking to be provided at the rear of the site and if the property is ever changed from historic designation or destroyed, that it would be rolled back to "B" Residence. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan,  
Councilmember Cooke

Noes: Councilmember Trevino, Mayor Pro Tem Goodman

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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Zoning Denied

HORACE C. BARN-  
HART, JR. &  
HELEN BARNHART  
WILEY  
By Pamela Giblin  
C14-79-060

2004 University Avenue

From "GR" General Retail  
2nd Height and Area  
To "GR" General Retail  
4th Height and Area  
NOT Recommended by the Planning  
Commission

Councilmember Mullen moved that the Council uphold the recommendation of the Planning Commission and DENY the zoning change. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers  
Himmelblau, Mullen, Snell, Trevino, Mayor McClellan

Noes: None

The Mayor announced that the zoning case had been DENIED.

ANNEXATION

Mayor McClellan opened the public hearing scheduled for 11:00 A.M. to consider annexation of and directing the administration to institute annexation proceedings to annex 9.02 acres of land, William Cannon League, Dittmarville Subdivision, South First and Dittmar Road. (8.38 acres initiated by the City and 0.64 requested by owner) C7a-79-001. Mr. Lillie reviewed the proposed annexation. No one appeared to be heard.

Councilmember Mullen moved that the Council close the public hearing and direct annexation proceedings to annex 9.02 acres of land, William Cannon League, Dittmarville Subdivision, South First and Dittmar Road (8.38 acres initiated by the City and 0.64 requested by owner) C7a-79-001. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor McClellan, Councilmember  
Himmelblau

Noes: None

Abstain: Councilmember Trevino, Mayor Pro Tem Goodman

Not in Council Chamber when roll was called: Councilmember Cooke

## LICENSE AGREEMENT

Council had before it a resolution to consider authorizing execution of a License Agreement for a 5-1/2 foot encroachment of a mobile home into a Drainage Easement on Lot 9, Block B, Onion Creek Forest, Section 1.

MR. SCOTT FRENCH, owner of the property in question, appeared before the Council stating that he had originally hoped for a release of the easement or having it vacated, or to at least establish an acceptable license agreement. He further stated that a filing fee is acceptable, but he disagrees with a \$50 annual fee which the City is also requesting. Mr. French noted that it was not his intent at any time to take advantage of the City and that an annual fee will seriously effect the resale value of his property, not to mention the fact that it will place a financial hardship on him. He requested that the Council either release the easement or give him a License Agreement without the \$50 fee.

It was noted by Albert De La Rosa, a City Attorney, that Mr. French does not fall into the category which would waive the requirements as stipulated by the City resolution regarding the release of easements and fees.

Mayor Pro Tem Goodman noted that he is sympathetic to Mr. French's problem but that the Council has no alternative but to charge the \$50 fee, as stipulated in the City resolution. He suggested that Mr. French again contact the City Legal Department regarding any possible solution to his problem.

Councilmember Himmelblau moved that the Council adopt a resolution to approve authorizing execution of a License Agreement for a 5-1/2 foot encroachment of a mobile home into a Drainage Easement on Lot 9, Block B, Onion Creek Forest, Section 1. The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Councilmember Snell, Mayor McClellan, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen

Noes: None

Not in Council Chamber when roll was called: Councilmembers Trevino, Snell

## CONSTANT COMMUNICATION CONTRACT

City Manager Dan Davidson commented that former Mayor Roy Butler has submitted his resignation from the Civil Service Commission, in order to avoid any possible conflict of interest, effective with the approval of the following contract:

CONSTANT COMMUNICATION  
705 North Lamar, Suite 101  
Austin, Texas

- Rental of Pocket Pagers for City wide usage. Twelve Month Supply Agreement  
Item 1 and 2, 56 each. Estimated  
\$16,476.00

Mayor Pro Tem Goodman moved that the Council adopt a resolution to approve a contract with Constant Communication for the rental of pocket pagers for City-wide usage. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem  
Goodman, Councilmembers Himmelblau, Mullen  
Noes: None  
Not in Council Chamber when roll was called: Councilmembers  
Trevino, Snell

#### PULLED OFF AGENDA

The Council pulled from the agenda a request from Ms. Pauline Brown, President, Clarksville Community Development Corporation, to apply for HUD Innovative Grants funds.

The Council also pulled from the agenda a request from William Terry Bray, Attorney for O. B. McKown, Jr., to discuss septic system requirements with respect to subdivisions, particularly with regard to Planned Unit Development No. C814-79-001 before the City Planning Commission.

#### REPAVING OF ATKINSON ROAD

MR. JUNIOUS E. SCOTT, President, St. Johns Community Association, addressed the Council noting that the people of the St. Johns Community strongly object to the present plans closing Atkinson Road as a through two-way street between IH 35 and Cameron Road. He stated that the closing of the street is seriously harmful to the neighborhood, as it will greatly increase the flow of traffic on East St. Johns and will lessen the quality of life for the residents in the area.

Mr. Scott suggested that an alternative plan might be to open several other streets as outlets, if Atkinson Road is to be closed.

MR. JIM BOWMAN reiterated Mr. Scott's comments and asked that the road be reopened and that yield and stop signs be replaced on La Costa. Councilmember Snell commented that to close the street was harmful to a number of the people in the area, as they can come out of the area but they can't go in.

Dan Davidson, City Manager, stated that the situation is really ironic, as the street closing was done at the request of some of the residents of the area. He said that the requests came by means of Public Hearings before the City Council on zoning cases, subdivision plats, community development programs for the repaving of all the streets in the St. Johns area and general concern about the traffic in the area.

Councilmember Cooke requested that a report be brought back to the Council regarding the earlier requests to close the street. Councilmember Himmelblau asked if the street has a cul-de-sac; it does not. Mayor Pro Tem Goodman requested an analysis of the situation and the options open to the Council.

The Council directed the staff to come back with a report as soon as possible.



## DOWNTOWN BUS RIDER REIMBURSEMENT PLAN

MR. LARRY DEUSER, Vice-President, Austin Neighborhoods Council, presented a request to the Council to consider a proposed bus ridership revitalization program to encourage increased usage of the buses of the Austin Transit System. It was suggested that downtown merchants issue cash refunds or coupons to bus riders.

Mayor McClellan commented that the recommendation was a most appropriate one to put before the Urban Transportation Commission for further analysis and consideration.

Mayor Pro Tem Goodman moved that the Council refer the downtown bus rider reimbursement plan of the Austin Neighborhoods Council to the Citizen's Urban Transportation Commission. The motion, seconded by Councilmember Cooke, was adopted by consent.

## WOODBURN HOUSE

MR. JACK EVINS, President, Hyde Park Neighborhood Association, addressed the Council requesting a final decision on the appeal of the Hyde Park Baptist Church regarding a demolition permit for the historically zoned Woodburn House.

The Council noted that the house should be brought up to standard and that it might be necessary to take action in Municipal Court to see that it is; however, the Council further stated that it is the choice of Hyde Park Baptist Church to seek appeal and not the place of the Council to force them to appeal a decision.

Mr. Evins asked the Council if he could seek a motion to instruct the Building Inspection Department to proceed with Municipal Court action.

Mayor Pro Tem Goodman moved that the Council state that the Woodburn House should be brought up to standard. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Snell, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Mullen

## QUEENS ARBOR

Mayor Pro Tem Goodman moved that the Council approve the recommendation of the Parks and Recreation Board, that the Arbor located at the Austin Area Garden on the south lawn be named the "Queen's Arbor." The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

## AUSTIN SKI CLUB

Mayor Pro Tem Goodman moved that the Council approve the recommendation of the Parks and Recreation Board, recommending approval of a License Agreement for the Austin Ski Club to permit the placement of four (4) water ski slalom courses on Lake Austin. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen,  
Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

## COMMUNITY SCHOOLS COMMITTEES

MR. ART BROWN, President, Northeast Austin Community School Advisory Committee requested that the Council consider recommendation of Pearce, Andrews and Pecan Springs Schools as sites for Northeast Austin Community School - a cluster concept. Councilmember Cooke noted that there had been some discussion about going away from the cluster concept and that he would like to talk to the fiscal implications.

Mayor Pro Tem Goodman stated that the Council is not, at this time, prepared to discuss the fiscal aspects. That decision will come at a later date. He further noted that the only decision before the Council at this time is whether or not to concur with the site selections.

Mayor Pro Tem Goodman moved that the Council choose Pearce, Andrews and Pecan Springs Schools as sites for Northeast Austin Community School. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Councilmember Cooke, Mayor Pro Tem Goodman  
Noes: None

## PUBLIC HEARING--SUBSTANDARD RESIDENCE

The Council had before it consideration of an appeal of a decision of the Building Standards Commission ordering demolition of a sub-standard structure located at 1701 Sanchez Street. Mrs. Green, the owner, was not present for the hearing.

Lonnie Davis, Director of the Building Inspection Department, presented slides to the Council indicating the state to which Mrs. Green's residence has deteriorated and noted that it has been the subject of discussion at seven Building Standards Commission meetings. Each time the Commission has directed Mrs. Green to bring the structure up to standard, but there has been no improvement. She did add a new roof; but because of the poor condition of the beams, the roof sags.

Mr. Davis stated that the structure was declared sub-standard by the old Minimum Housing Ordinance and went before the old Building Standards Commission.

The case was presented to the Council at that time and the Council referred it to the Legal Department, at which time it was declared sub-standard and plans were initiated to have it demolished. In the meantime, a new Housing Ordinance was adopted and in fairness to Mrs. Green, the house has been processed under the existing Commission and Housing Ordinance.

Mr. Davis further noted that the structure is probably not worth repairing; but, Mrs. Green has indicated that she has received some funding and may be able to repair the house.

Mayor Pro Tem Goodman moved that the Council postpone for one week the appeal of a decision by the Building Standards Commission ordering demolition of a sub-standard residence located at 1701 Sanchez Street; owner to present Council with her renovation plans or the Council will consider a permit to demolish the structure. (Public hearing set for May 10, 9:30 A.M.) The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember  
Himmelblau  
Noes: None

#### AUDITORIUM AND COLISEUM RENTAL RATES

Council had before it for consideration an ordinance to adjust the Auditorium and Coliseum rental rates and service charges to reflect the current cost of service. Mr. Ron Wood, Auditorium Director, referred Council to the proposed rate structure they had before them and summarized it as follows. He said the rate proposal seeks to correct present inadequacies and propose a new rate schedule based on the actual cost of services. The end result was a 19% increase in the actual rate which would result in approximately a 33% increase in revenue over all. Administrative and operational costs not related to specific event operation were omitted. The report is as follows:

"To check the proposed rate structure's accuracy, a market study was performed. Seventeen public facilities in Texas, Arkansas, Louisiana and Oklahoma were surveyed on a variety of subjects. The results of that market study were used to refine the proposed rate schedule and set parameters for increases in rates. An analysis of all changes in existing rates follows:

##### Recommendation 1: Eliminate the "Riser Removal Fee."

Current rates involve an additional charge of \$250 for all seated events of 4,348 or 5,996 seats. This fee was originally developed to charge for the physical removal of ramped seating (seats on risers) which automatically come with the smaller 3,028 seat house. Previous discussions indicated that the Auditorium no longer functions primarily as a theater with ramped seating. The riser removal fee, therefore, penalizes some events by charging a higher fee than would be due using a proportional cost of services rating system.

This action will result in a lowering of fees in some instances, especially lowering difficult to rent morning and afternoon periods.

Recommendation 2: Charge a higher rate for ramped seating (seating on risers.)

Current rates charge the same for a 3,028 seat house with a ramped floor, as for a 3,028 seat house without a ramped floor. Installing risers with a ramped 3,028 seat house actually requires the same labor as installing a 4,348 seat house with no risers. They both, therefore, should receive the same rate.

Recommendation 3: Establish minimum costs for each rental area and adjust rate schedule to meet those minimum costs.

Minimum operating costs were established for each rental area from 3,028 seats to 5,996 seats. These costs were then used as base rental for Class II events, which is the least expensive rate available.

Rates for the 3,028 seat theater rose 40% overall. The cost for prime evening rental rose from 10 cents per seat to 13 cents per seat in non-commercial Class II events and from 11 cents per seat to 14 cents per seat in commercial Class I events. Minimum charge for the 4,348 seat house rose 3%, and the 5,996 seat house minimum charge rose by 11%. The reason for a small rise here was that these two rental areas already had a \$250 riser removal fee added to base rental under the current rate schedule.

Recommendation 4: Eliminate the flat rate option on seating events in favor of a percentage of gross sales to a maximum limit.

The current rate structure offers promoters a choice when renting the Auditorium for an event where seats are sold. They may pay a percentage of the gross sales, 10%, up to a maximum amount; or they may elect a flat rate to pay "out front" and avoid the percentage. This flat rate has been used almost exclusively in recent years.

If the flat rate option is eliminated and a percentage of gross sales required, the City will receive more compensation on a night when ticket sales are good, but the private promoter will not be penalized on a night when sales are poor.

Recommendation 5: Increase minimum Lower Level and Exhibit Area rental by an average 15%.

This rental increase is not as much as the recommendation for rental increase in seated house rates, because events using flat floors have a better cost vs. revenue ratio.

Recommendation 6: Establish two rental areas for main floor exhibit space.

Exhibit area rental in Municipal Auditorium is a minimum fee vs. \$.05 per net square foot of exhibit space sold, up to \$800 per day.

The current rate schedule charges one rate for all main floor exhibits. When exhibit space goes into the front part of the hall, a riser removal fee is added. The principal drawback to this is that the same maximum rate applies to both areas. An event sponsor, in effect, can receive 50% more exhibit area for the same maximum charge.

It is recommended that the Exhibit Area rate be limited to a prescribed area on the main floor, and any rental beyond that point becomes a full main floor rental. The rate would be as follows:

	<u>Minimum Rental</u>	<u>To a Maximum of</u>
Exhibit Area	\$400	\$ 750
Main Floor	\$700	\$1,200

This type arrangement establishes an equitable charge based on the size area occupied.

Recommendation 7: Increase minimum square foot rental charges from \$.05 per net square foot sold to \$.06.

Although the average square foot charge reported in the recent survey was \$.05 per net square foot, it is recommended that this increase be allowed to offset rising operating costs. The general consensus among facility managers is that rising costs, especially electricity, will soon push the average rate to \$.06 per net square foot throughout the region.

Recommendation 8: Assess the square foot rental charge in all areas of Municipal Auditorium where exhibit space is sold.

Current policy is to only assess the per square foot rental fee in the main floor Exhibit Area. It is recommended that all areas, including the Lower Level, be charged equally when exhibit space is rented.

Recommendation 9: Eliminate free move-in.

Current policy is to allow one day free move-in for all exhibit events running two or more days. This policy encourages groups to take longer than necessary to move in, thereby disallowing a possible rental day which another group could use. The one-half rental rate for move-in, which is assessed for all other move-in days, would be the lowest rate allowed for any facility rental. This policy will still allow groups with major move-in requirements a reduced rate but will more closely reflect a cost of services posture.

Recommendation 10: Provide minimum utilities, only, on move-in and rehearsal days.

Current policy is to provide full utility service on move-in and rehearsal days. This creates waste and does not provide revenue for a high-cost service. It is recommended, instead, that normal work lighting with no air-conditioning or heating be provided for the one-half price rental rate. If an organization feels full utility service is necessary, they would be required to assume the costs of full service and pay the full price rental.

Recommendation 11: Increase Rathskeller rates to \$75 in the afternoon and \$100 in the evening.

The Rathskeller is a cabaret lounge room seating up to 150 persons. Staffing of events, currently, costs more than the \$50 rental charge.

Recommendation 12: Increase trailer space rental from \$3.00 per day to \$5.00.

Current market prices for the same service provided on the Coliseum grounds is from \$7.00 to \$9.00 per day. A minimum of \$5.00 per day is needed to offset hook-up and electrical costs.

Recommendation 13: Increase chair rental fees by 50%.

Market studies showed that current regional average on metal folding chairs is \$.20 per chair per day. Staff analysis is that \$.15 per chair per day is adequate in Austin to recover set-up labor and replacement costs.

Cushion folding chairs average higher than the \$.30 per day charge recommended for Austin. The \$.30 charge, however, will cover labor and eventual replacement.

Recommendation 14: Establish a new service for telephone access.

With Council approval, Auditorium staff will have installed two new phone lines with nine separate plug-in jacks throughout the Auditorium building. Building lessees, thereby, will have available a private phone line. This will not only provide a needed service but will also alleviate much of the message and information requirements now being handled by Auditorium staff.

The recommended charge of \$10.00 per day will offset monthly Southwestern Bell charges. This charge will be amenable to lessees, since it is one-fourth to one-seventh the cost of having the phone company provide them with temporary phone service.

Recommendation 15: Increase hourly forklift charges from \$9.00 to \$10.00.

This \$1.00 adjustment is to offset the rise in City operator salaries.

Recommendation 16: Establish a new service charge for electric hook-ups.

Current Auditorium practices are to provide as many electric hook-ups, 110 or 220 volts, as needed during a trade show or convention. With labor and electricity costs rising yearly, this service charge will help defray these costs and discourage unnecessary energy consumption during events.

Four cities within the region have recently gone to a similar electric hook-up charge. All cities surveyed are contemplating some method to offset costs in this area.

The \$2.50 fee per box, where each box contains two outlets, will recover part of the labor and energy costs associated with it. More importantly, it will encourage conservation.

Recommendation 17: Set all novelty and program sales at a standard 20% rate.

The current rate system requires that vendors who sell novelty products pay a fee to the City for use of facilities. Novelties, such as T-shirts and record albums, now pay a fee equal to 25% of gross sales. Program vendors pay 15% of gross sales.

The market study showed the average on both novelties and programs to be 19% of gross. The median, however, was 20%. A standard rate of 20% in Austin will establish a consistent and fair policy. It will also encourage novelty vendors to sell more and diverse items when appropriate.

Recommendation 18: Increase photography fees to \$15 per show.

Prices for snapshots taken at a banquet or dance have risen to a point where this flat fee of \$15.00 will amount to less than 20% of an evening's gross.

Coliseum Rates: No increase in Coliseum rates is recommended.

After current staff C.I.P. plans are implemented, Council will be presented with a revised rate adjustment for the Coliseum. The building now is difficult to rent, and an increase in rates will cause greater demand for Auditorium rentals, which now exceeds availabilities.

Possible Future Revenue Sources: Several possible sources of new revenue were investigated during this rate analysis. Two of the more promising are marquee rental and pay parking.

When the new marquee is installed this spring at Municipal Auditorium, a new source of revenue will become available. Advertising space on the marquee could be sold to future building lessees, which would offset electrical costs at the minimum and possibly provide an ongoing revenue source.

Estimates of equitable marquee rental rates are not available, but staff will provide these to Council when the new marquee becomes operational.

A second possible revenue source is from pay parking. Sixty percent of facilities studied have some form of pay parking, and half of those operate their own parking system.

Whether pay parking is favorable or not at Municipal Auditorium is being investigated by Auditorium staff. The current workload, however, prohibits any recommendation before next fiscal year. If Council wishes this analysis, and one has not been performed by another organization beforehand, Auditorium staff will be prepared to offer facts and recommendations by early spring of 1980.

#### IV. Effects of Proposed Rate Adjustment

The effect of this new rate structure, if approved, will mean greater revenues to the City with minimal loss of existing business. A higher rate adjustment could drive off business, while a lower adjustment would require a greater portion of the hotel occupancy tax to be used for operation of Auditorium-Coliseum facilities.

The overall increase in revenues will be approximately 33%. This increase is the result of an approximate 19% increase in base rentals plus the elimination of various free and non-cost effective rental policies. It will require at least two years to be fully felt, because many contracts have already been issued into 1979. Staff estimates are that increases in current year revenues will be around \$15,000. In FY 79-80, the increase should be approximately \$75,000. By FY 80-81, when the full effects are being felt, the adjusted rate will mean \$133,200 additional revenue.

The following summarizes yearly increases in each rental area:

	<u>Additional Revenue</u>	<u>% of New Revenue</u>
Building rental	\$ 74,900	56%
Exhibit space rental	45,198	34%
Trailer rental	462	-0-
Equipment rental	9,040	7%
Services (forklift & electricity)	3,600	3%
Fees (novelties, photograph, programs)	-0-	-0-
Concessions	-0-	-0-
Catering	-0-	-0-
TOTALS	\$133,200	100%

Effects on facility users will be minimal. The greatest increase will fall on groups using the 3,028 seat ramped theater. This can be offset, however, if Council wishes.

Most groups which use the 3,028 seat ramped theater are arts groups funded by Hotel Occupancy tax revenues. These groups, therefore, can be compensated for additional costs through additional funding in budget allotments to the arts.



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Auditorium files  
second reading

Another group which will feel some increase is promoters of stage performances, such as rock and country and western concerts. These groups use theater seating and will pay a percentage of gross sales, under the new schedule, instead of a flat rate. The increase, however, will be fair and will not exceed what they are charged in other facilities throughout the region.

#### V. Summation

This rate adjustment proposal addresses basic problems with current Auditorium-Coliseum rates and fee policies. The Auditorium staff can no longer equitably charge for services as was done in 1958. The Auditorium currently functions as much as an exhibit hall and showplace as it does a theater. Any proportional rate increase which does not consider this will discourage the people and organizations which use the facilities most.

The 33% overall increase can be adjusted upward or downward with minor alterations in any particular area. City staff is prepared to reassess and readjust any or all areas at the request of City Council."

#### Motion

Mayor McClellan introduced the following ordinance:

The ordinance was read the first time, and Councilmember Himmelblau moved that it be passed to its second reading. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen  
Noes: None

The Mayor announced that the ordinance had been passed through its first reading only.

(MR. JOE RAMOS, President, Lulac Council #85 and others, had requested to speak on proposed rental fee increase for Municipal Auditorium under Citizen's Communications. They were unable to do so today; thus the motion was made for a FIRST READING ONLY passage in order to allow them to speak before Council next week.)

Councilmember Mullen referred to Recommendation 14 and asked how long distance calls will be regulated. He said he would like to see what the stability of the person in the community is and use some judgement as a person would who is bonded. Mr. Wood said the telephone company usually writes off calls made from the auditorium by outside parties and bills them to the caller at their business address. Mr. Davidson told Council that this concern has been managed in the past and it will be taken care of.

DON ROTH, representing the Austin Symphony, said he thought the overall rates appeared to be fair. The effect of increase on their rates for next year would be about 118%, which keeps up with inflation. However, he said in checking with other symphonies, he found they are not paying much more than Austin Symphony is now for this kind of facility. He asked that the Symphony and Civic Ballet be kept informed of the study which is requested in the motion.

Councilmember Trevino commented that the increases should be made every two years, rather than wait so long in between so that the impact is that much greater.

#### SUMMER YOUTH EMPLOYMENT PROGRAM

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 780925-A, ANNUAL BUDGET ORDINANCE FOR FISCAL YEAR 1978-79, BY ACCEPTING FROM THE U. S. DEPARTMENT OF LABOR AND APPROPRIATING \$1,201,806 IN COMPREHENSIVE EMPLOYMENT AND TRAINING ACT (CETA), TITLE IV SUMMER YOUTH EMPLOYMENT PROGRAM FUNDS FROM THE PROVISION OF EMPLOYMENT SERVICES TO ECONOMICALLY DISADVANTAGED YOUTHS IN THE CAPITAL AREA MANPOWER CONSORTIUM FOR THE PERIOD OF JANUARY 1, 1979 TO SEPTEMBER 30, 1979; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Cooke moved that the Council waive the requirement for three readings and finally pass the ordinance. The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmember Cooke,  
Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### MESOMATE

The City Manager had a report to give on the use of Mesomate in controlling vegetation in creeks. Mr. Davidson told Council that there has been an individual in Austin making an inspection and analysis of Mesomate. He said the State Department of Agriculture is also interested in a study and wants to contact the manufacturer and others. Until these studies can be done, Mr. Davidson asked that there be no action taken. In the meantime, the City of Austin will not proceed with further use of Mesomate.

Mayor Pro Tem Goodman commended Mr. Davidson on the continued suspension of Mesomate.

DAVID GIBSON appeared before Council to discuss the death of his dog which he felt was due to Mesomate in the creeks.

JACKIE JACOBSON, representing the Sierra Club, asked that the City use care in the use of toxic substances which will wash into the creeks of Austin.

#### EMERGENCY MEDICAL SERVICE

Mr. Bill Bulloch, Director, Emergency Medical Service, reported on the status of same, and requested a public hearing.

Mayor Pro Tem Goodman moved that the Council set a public hearing for May 24, 1979 at 9:30 A.M. on the status of the Emergency Medical Service. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Goodman, Councilmembers  
Himmelblau, Mullen, Snell

Noes: None

Not in Council Chamber when roll was called: Councilmembers Cooke,  
Trevino

#### STATUS OF SOUTH TEXAS PROJECT

The following report was given by Mr. R. L. Hancock, Director, Electric Utility:

"A total of 10,933 cubic yards of concrete was placed during the month, bringing the total amount of concrete placed to date at 340,120 cubic yards, or 55% of total. A total of 70,150 cubic yards of fill material was placed on the embankment during the month, bringing the total amount placed on the embankment to 21,185,026 cubic yards, or 99% of total. A total of 37,654 cubic yards of soil cement was placed on the embankment during the month, bringing the total placed to 1,084,425 cubic yards or 91% of total.

The testing of the repair of the voids in the 15th lift of the outer concrete shell on Unit #1 containment building was completed and the results showed a satisfactory repair. This allowed the polar crane to be set. Completion of the polar crane installation is scheduled for the end of April. Completion of the polar crane installation will allow setting the reactor vessel and the 4 steam generators. This work is scheduled for late May.

Tubing of the condenser for Unit #1 has been started. The river pump section is scheduled for flooding in early May. Closure of the reservoir has been started and reservoir filling is scheduled for mid-year.

The Contractor and Sub-contractors had a total of 4,174 construction people on the site as of April 9, 1979. Generally, construction of the project is now on a 40-hour week, utilizing two shifts. Overtime with reduced crews is being worked in various areas of the project when the need arises.

The Brown & Root and Houston Lighting and Power organizations continue to show progress in integrating their efforts under a team concept. Construction has progressed to the extent that it is now appropriate to organize the project on an area basis and that is currently being implemented. This anticipates an area organization based on areas such as Turbine Generator Building, Mechanical Electrical Auxiliary Building, Fuel Handling Auxiliary and Reactor Containment Building. Within each of these areas activities will be broken into Execution, Engineering, Administration and Control.

Quality Control and Quality Assurance, which reports to Management level, (not Construction Management) will also be broken into similar areas.

The construction area resources will be supplemented and strengthened by a central resource reserve by various skills and disciplines.

The project has now progressed to the point where engineering, vendor performance, and vendor engineering response are becoming critical path items. Efficient utilization of construction resources has allowed the shift back to the 40-hour week for each of the two normal shifts.

Work is progressing on the revised schedule and cost estimate, however, an extension from mid-June to mid-July will be necessary before the report can be completed. This extension will provide time to better coordinate and reconcile cost accounting, scheduling, resource allocation, and quantity estimates to the extent that a more useful tool is developed for engineering, construction, accounting and control.

As of the end of March, 1979, Austin's incurred cost for its 16% share of the project is approximately \$142,041,226."

#### MONTHLY REPORT - FAYETTE POWER PROJECT

The following report was given by Mr. R. L. Hancock, Director, Electric Utility:

"Construction of Unit #1 of the project is moving very close to completion. Construction on Unit #2 is moving satisfactorily, although delivery of the turbine generator was delayed several months. Unit #1 is considered to be 94% complete, and Unit #2 is considered to be 27% complete.

Unit #1 construction activities centered on startup of various systems and on installation of insulation and lagging on the precipitator. Other construction activities included non-critical items such as painting, landscaping, miscellaneous structural steel and architectural work.

Unit #2 construction activities centered on boiler erection. Emphasis was also placed on precipitator erection, piping erection and cable tray erection. The generator stator has been set in place, and work is proceeding with setting the turbine low pressure shell. Concrete and excavation is 64% complete, power pipe erection is 23% complete, steam generator installation is 34% complete and structural steel erection is 48% complete.

Unit #1 turbine generator was rolled, brought up to speed and synchronized on the system for a short period of time April 12. Some vibration was experienced, and the unit was shut down for a balance correction. The unit was again synchronized on Tuesday, April 17, and operated for some time on oil ignitors. Some operating difficulties have been experienced with the precipitator preventing the unit from burning coal. Barring extended problems with the precipitator, the unit should make the initial coal burn before May 1. This will be a milestone for Austin's Electric System, marking the first time that Austin will have capability to burn fuel other than oil or natural gas since utilization of lignite in the 1920's.

Currently Brown & Root, Inc., has 760 employees on the project.

Engineering is essentially complete, with no engineering work critical to the construction schedule. Completion of as-built drawings and resolution of field changes and problems are the principal engineering activities.

The project has received and unloaded 37 trains of coal making the force majeure pile approximately 396,000 tons of coal. Four trains of 110 cars each are in continuous operation. Turnaround time for each train is approximately 260 hours.

Austin's incurred costs as of March 31, 1979 is \$164,296,402.

Construction progress on the transmission lines from the project to the Austrop Substation is still impeded by inclement weather conditions. Currently right-of-way acquisition is 100% complete, right-of-way preparation is 98% complete, foundations are 81% complete, structure assembly and erection is 45% complete, conductor stringing is 11% complete. The estimated overall completion to date for this project is 60%. Construction of this transmission line currently continues to be behind schedule. Efforts are being expended in every possible way to increase construction efforts to complete this project."

Mr. Davidson told Council that the dedication of Fayette Power Project will be in June and he hopes Council will tour both Fayette and South Texas Project at that time.

Councilmember Mullen asked, "Some time ago we leased railroad cars to another company and I never saw a final report on if the cars got back, what condition, and how much money we made, etc. I'd like to see that." Mr. R. L. Hancock said he should be able to compile the report within a week.

## REPORT ON PROPOSED UTILITY COORDINATION

Mr. John German, Director of Public Works, presented the following report:

"I am requesting an opportunity to make a presentation to the City Council concerning the efforts of the Austin Area Utility Coordinating Council and its proposed policy regarding Utility Assignments in the Public Rights-of-Way. In addition, the conceptual plan for a "One-Call" System for notification and services to locate existing underground utilities prior to beginning excavation activities can be discussed, as well as the progress that the Austin Area Utility Coordinating Council is making in other related areas of utility coordination in our community.

Following that presentation, I would request that the City Council consider the following actions:

1. Adoption of the Utility Assignments in Public Rights-of-Way Policy;
2. Approval of the One-Call System Concept;
3. Authorization for City departments' participation in the One-Call System;
4. Agreement to consider the funding required to implement the One-Call System during the upcoming budget review process;
5. Designation of the Public Works Department as the responsible agent for providing staff services for the A.A.U.C.C.; and
6. Approval of a budget adjustment of \$25,000 per year (\$12,500 remaining in FY 1978-79) to provide a position of Utility Coordinator (equivalent to Engineer IV), and equipment and supplies.

The most far-reaching item to be considered at this time is the "Utility Assignments in Public Rights-of-Way Policy." Details of this policy are attached. It represents the collective viewpoints of representatives from all local public and private agencies involved in utility work. In addition, it has been reviewed and approved in concept by the Subdivision Review Task Force, local consulting engineers, and local street and utility contractors. It provides the foundation for developing an effective utility coordination effort in Austin.

The "One-Call" System items merely authorize City agencies to develop a plan for initiating a One-Call System in Austin. When this plan is complete, exact costs and implementation schedules will be presented to the City Council for final consideration.

It is important to provide a single City department responsible for utility coordination in Austin; therefore, action is recommended to appoint the Public Works Department to serve in that role, and to authorize one full-time position on the staff of the Public Works Department to be the administrator of this program. This is a cost item of \$25,000 per year, or about \$12,500 for the remainder of this fiscal year."

May 3, 1979

Mr. German said the initial cost will be \$6,000 and the annual cost will be \$46,000, but the annual savings on utility repair should be about \$100,000.00. Mr. Davidson said this is something the City, with its sophisticated computers is now able to do. In answer to Councilmember Himmelblau's question if the other utilities involved will share costs, Mayor Pro Tem Goodman said, yes, they will all share expenses.

Mayor Pro Tem Goodman moved that the Council approve the six points of the report on Proposed Utility Coordination. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell  
(Copy of six points approved on following pages.)

#### ADJOURNMENT

Council adjourned its meeting at 6:20 P.M.

APPROVED

*Charles Keeton McClellan*  
Mayor

ATTEST:

*Grace Monise*  
\_\_\_\_\_  
City Clerk



Executive Summary  
Austin Area Utility Coordinating Council

The present City Council set their goals and objectives in October, 1977. One of the goals listed under the transportation priority area had an objective that sought "to coordinate the movement of utility lines in streets to prevent continued tearing up of the streets." It was felt and still is, that better coordination of utility excavation activities among the various public and private utilities is the appropriate approach to prevent damage to City streets and disruption of municipal services. Good progress has been made in that coordination effort during this past year, through the excellent cooperation that has been received from all local utility agencies.

The Public Works Department was given the responsibility to accomplish this Council goal. In March, 1978, each public and private utility agency was asked to provide a representative at a meeting to initiate discussions on how to proceed towards this goal. The issues that were raised initially dealt with the need for standard utility assignments, common utility damage payment policies, improved notification and location services, and effective coordination during public works projects.

This group of representatives agreed to create an organization known originally as the Utility Coordinating Committee to address these areas of

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common concern. They began to meet on a regular monthly basis to discuss these issues and began to organize an effort to resolve them. As the group became more organizationally sound, it evolved into the Austin Area Utility Coordinating Council. The impetus begun earlier has carried it to the point that it has the potential to become an effective organization to achieve effective utility coordination in the Austin Area. The Council's goal of less damage to City streets will ultimately be met through this process.

A.A.U.C.C. is a voluntary association of the following City departments and private utilities:

1. City of Austin
  - a. Public Works (Streets and Storm Sewers)
  - b. Engineering (Design)
  - c. Water and Wastewater (Water and Sewer)
  - d. Electric Utility (Electric)
  - e. Urban Transportation (Traffic Control)
2. Southwestern Bell Telephone Company (Telephone)
3. Southern Union Gas Company (Gas)
4. Capital Cable Company (Cable TV)

A key management official in each department or agency is a member of the Executive Committee which provides the general orientation for the council and approves policies recommended by the members. Other committees include: Damage Review, Utility Assignment, One Call, Utility Clearance, and Engineers and Contractors. Each committee is a result

of initial concerns that were deemed important to all. (See Exhibit 1).

As a result of a total group effort over the past half year, the A.A.U.C.C. is now recommending the adoption of a policy for "Utility Assignments in Public Rights-of-Way." The purpose of the assignment policy is to assign locational space in public rights-of-way for each of the various utility lines and mains that provide services to the citizens of Austin. As proposed, the policy would have its greatest impact on new residential development. However, in any project where major utility relocation or construction is required, adherence to the policy would be requested if possible. Implementation of this policy is a step towards accomplishing the aforementioned City Council goal. Although the policy itself will not do it all, it is an incentive necessary to assure continuing coordination and cooperation among all participants in subdivision development. (See Exhibit 2). One example of the contents of this policy is a provision that prohibits cutting a new street within 2 years of the paving of that new street. This forces prior planning for all utilities, and prevents a utility from cutting a recently paved street.

A.A.U.C.C. has recognized the need to complement this policy by initiating a system for notification and services to locate utilities

prior to beginning excavation activities. Steps have been taken to determine the feasibility of establishing a "One-Call" System for Austin. The City Data Systems Department has provided assistance in assuring that the proposed One-Call System is technically feasible by using their central computer facilities to present a simulated demonstration of the proposed One-Call System. A system similar to the present keyword system used by the City Manager's Office will be the basis for the One-Call communications network.

In addition, there are other benefits that can be realized at the same time that the notification and location services are being provided through the proposed One-Call System. The immediate benefit is that a sizeable reduction in underground utility damages usually results after implementation of a One-Call System. Reductions of over 50% in total amount of damages have been reported in other cities across the country where this has been implemented. This is certainly an important aspect of a One-Call System for the City of Austin to consider since damages amounted to almost \$250,000 in 1978.

Long range benefits can accrue from using the accumulated data base as a planning and management tool. The existing city computer facilities have sufficient capacity for the proposed system to grow innovatively over the years. However, initially the intent is to provide only the communica-

tions aspect of the system. (See Exhibit 3).

Considering the goals and objectives the City Council has set, the A.A.U.C.C. is providing a means to accomplish effective utility coordination and reduce the cost of damages to City-owned utilities and streets. Therefore, in order to formalize this organization and permit active participation by the City, we respectfully request the City Council to consider the following actions:

1. Adoption of the proposed policy for "Utility Assignments in Public Rights-of-Way."
2. Approval of the One-Call System Concept.
3. Authorization for the appropriate City departments' participation in the One-Call System.
4. Agreement to consider the funding required to implement a One-Call System during the upcoming budget review process.
5. Designation of the Public Works Department as the responsible agent for providing staff services for the A.A.U.C.C.
6. Approval of a budget adjustment of \$25,000 per year (\$12,500 remaining in FY 1978-79) to provide a position of Utility Coordinator (equivalent to Engineer IV), and necessary supporting equipment and supplies.

The costs of the proposed One-Call System and other programs or future activities of A.A.U.C.C. will be paid on a pro-rata share by each of the participants. The cost of staff support will be a City function similar to the concept applied to other City boards,

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commissions, and advisory committees. Members on the A.A.U.C.C. will be appointed by each of the participating agencies.

A signed statement is attached indicating the support of each of the utilities and City departments involved in A.A.U.C.C. They ask for your favorable approval of the City Council on these recommendations.

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MEMORANDUM

March 19, 1979

TO: Austin City Council  
SUBJECT: Utility Assignments Policy

We, the undersigned, being members of the Executive Committee of the Austin Area Utility Coordinating Council, having examined the proposed policy, "Utility Assignments in Public Rights-of-Way", do hereby approve it and recommend its acceptance by the Austin City Council.

Earl R. Dill Southwestern Bell Telephone Co. 3-22-79  
Earl R. Dill Date  
Division Manager, Facilities

John L. German Public Works Department 3/19/79  
John L. German, P.E. Date  
Director

Charles B. Graves Engineering Department 3/21/79  
Charles B. Graves, P.E. Date  
Director

Alan B. Johnson Southern Union Gas Company 3/23/79  
Alan B. Johnson Date  
District Operations Manager

Curtis E. Johnson Water & Wastewater Department 3/22/79  
Curtis E. Johnson Date  
Director

Frank C. Malone Capital Cable Company 3/23/79  
Frank C. Malone Date  
General Manager

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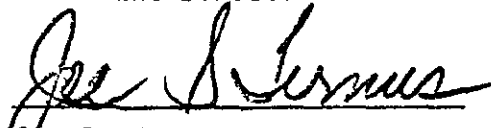


H. L. Peterson  
Assistant Director

Electric Department

3-22-79

Date



Joe S. Ternus  
Director

Urban Transportation Department

3-19-79

Date



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Exhibit 1

Austin Area Utility Coordinating Council

March 7, 1979

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## AUSTIN AREA UTILITY COORDINATING COUNCIL

### INTRODUCTION

In October, 1977, the Austin City Council listed their goals and objectives for 1977-79 in several priority areas. One specific goal related to transportation was "to provide an effective mass transit program and road system for the citizens of Austin." Objective 2f under that same heading was to "coordinate the movement of utility lines in streets to prevent continued tearing up of streets." The responsibility for the accomplishment of this objective was given to the Public Works Department.

Initial contacts with representatives of all local utilities revealed an interest in forming a Utility Coordinating Committee to deal with this type problem. An organizational effort began shortly thereafter and a group of individuals representing the various public and private utilities met to discuss a more formal organizational arrangement. The Utility Coordinating Committee has been meeting regularly on a monthly basis to discuss issues related to utility service. The organization has evolved over the past year to be known as the Austin Area Utility Coordinating Council. Organizational levels have been designated as well as assignments of responsibility. The membership has been defined to include private and public utilities that own, operate and/or maintain underground or overhead utility facilities in Austin. Goals have been defined to fit the structure of the organization and the purpose of the Council.

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among municipal utilities, private utilities, governmental agencies, engineers, and contractors involved in utility work; and

4. To provide for the safety and protection of the general public.

These purposes will be brought about through an officially, recognized, voluntary, cooperative association of agencies and their representatives who have vested interests in utility work as granted by state law, city charter, franchise, or permit.

#### A.A.U.C.C. GOALS AND OBJECTIVES

The goals and objectives for the A.A.U.C.C. in 1979 are listed as follows:

1. To secure passage of a Utility Assignment Policy for Public Streets and Easements, and to make that policy work;
2. To finalize and implement a One Call System;
3. To develop utility damage payment policy;
4. To improve communications between representatives of the various utilities and between the utilities and consulting engineers and contractors;
5. Others as they become apparent.

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#### ORGANIZATIONAL STRUCTURE AND MEMBERSHIP

The organizational structure and membership of the Austin Area Utility Coordinating Council is listed on the organizational chart in Appendix A. Representation has been provided for the private and public utilities as well as consulting engineers and street and utility contractors.

#### COMMITTEE FUNCTIONS

The assigned responsibilities of the various committees are listed below.

1. Executive Committee - to be the governing body responsible for the general operation of the organization, and for approving policies to be implemented by the various members;
2. Damage Review Committee - to be responsible for developing policies regarding damages to utilities, payment for those damages, reporting the damages, and making recommendations on ways to reduce damage to facilities;
3. Utility Assignment Committee - to be responsible for the review of current and proposed policies concerning utility assignments and related utility construction or repair practices and/or procedures;

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4. "One-Call" Committee - to be responsible for developing a One-Call system, its performance, and recommending improvements;
5. Utility Clearance Committee - to be responsible for providing assistance in maintaining current progress or status reports on City construction projects;
6. Engineers and Contractors Committee - to provide liaison and communications between the City, local consulting engineers and local contractors while working towards the goals of the A.A.U.C.C.

APPENDIX A

AUSTIN AREA UTILITY COORDINATING COUNCIL

SWBTC Earl Dill  
PW John German  
ENGR Charles Graves  
SUG Alan Johnson  
W&MW Curtis Johnson  
CAP CA TV Frank Malone  
ELEC H. L. Peterson  
U.T. Joe Ternus

EXECUTIVE COMMITTEE

UTILITY  
CLEARANCE  
COMMITTEE

ENGINEERS AND  
CONTRACTORS  
COMMITTEE

ONE CALL  
COMMITTEE

UTILITY  
ASSIGNMENT  
COMMITTEE

DAMAGE REVIEW  
COMMITTEE

Richard Ridings  
Joe Word  
R Jim Berry  
Janet Bartles  
Leannette Scott  
C. E. Falk, Jr.  
Carl Chambers  
Leonard Thomas  
Stan Kozik  
(C) Ray Miles  
(N) E. D. Syrinek  
(S) E. D. Syrinek

Joe Word  
Cris Guzman  
Bob Liverman  
Ramon Miguez  
Joe Lucas  
Jeff Suggs  
Chandler Pomplun  
Elton Toll  
Stan Kozik  
Pete Plumb  
Ken Allen  
Wilbur Mock

Cris Guzman  
Walter Boettcher  
Paul Parker  
Joe Lucas/Ramon Miguez  
Wayne Jackson  
Dale Edwards  
Steve Carr  
Carl Lee  
Martha Riekenberg  
Mike Baker  
Wilbur Mock

Cris Guzman CONTR. Jay Evans  
Jim Berry Joe Varga  
Jesse Pena CON. ENGR. S. A. Garza, P  
Jesse Pena George Human, P  
Richard Dreiff DIR. CF PW John German  
Jack White DIR. OF ENGR Charles Gravi  
Elton Toll DIR. OF W&MW Curtis Johns  
Allen Christensen DIR. CF U.T. Joe Ternus  
Mike Pearce DIR. CF EL R. L. Hancock  
Ken Allen  
Don Silver  
L. E. Everett

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Exhibit 2

Utility Assignments  
in  
Public Rights-of-Way

K-S 13

D R A F T

March 15, 1979  
Utility Assignments  
in  
Public Rights-of-Way

INTRODUCTION

In the past, the level of communication among the utilities, both public and private, has created problems in providing service to developing areas in the City of Austin and its extra-territorial jurisdiction. The standards or procedures for the assignment of specific locations for utility lines within street rights-of-way and easements in proposed developments have never been clearly defined or enforced. Different requirements in subdivisions and planned unit developments in different types of terrain have also contributed to confusion in utility assignments.

Currently, the process being followed in the design and construction of a proposed development has inherent communication gaps among the participants in the process. This translates into coordination problems between the developer, the consulting engineer, the public utilities, and the private utilities from the project's inception and design phase to the construction phase.

Typically, the developer's consulting engineer submits preliminary street plans which contain street geometrics and layout, and tentative grades along with the proposed storm sewer locations and grades. Sometimes the water and wastewater plans are also included. However, the



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remaining utilities usually do their own design without benefit of these preliminary plans. With little consultation or input from the other participants, one design can often conflict with another. These conflicts will usually arise in the construction phase, and often after the street is paved and utilities are in place. As a result, damage to utilities already in place can occur. This is both unsafe and uneconomical for all involved.

When design changes are made or when grades are modified, existing utility lines often have to be adjusted to allow for the installation of another utility. This occurs in new developments as well as in maintenance, repair, and relocation operations. It is a vital necessity, therefore, that all utility work is coordinated and accomplished in an orderly and professional manner.

#### PURPOSE

The present City Code does not outline standard assignments of utilities where new street construction or reconstruction of existing streets is required. Therefore, to minimize conflicts in the installation of utilities in these operations, it is suggested that standard locations for each of the various utilities be established.

The purpose of this report is to provide numerical standards and standard procedures for the assignment of utility service locations

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within public rights-of-way and easements in the City of Austin.

#### LEGAL AUTHORITY

The Austin City Code provides the legal authority for the assignment of utilities within public rights-of-way. The following City Charter articles apply:

"The City shall have exclusive dominion, control, and jurisdiction in, upon, over, and under the public streets, sidewalks, alleys, highways, public squares, and public ways within the corporate limits of the City, and in, upon, over, and under all public property of the City. With respect to each and every public street, sidewalk, alley, highway, public square, or other public way within the corporate limits of the City, the City shall have the power to establish, maintain, alter, abandon, or vacate the same; to regulate, establish, or change the grade thereof; to control and regulate the use thereof; and to abate and remove in a summary manner any encroachment thereon." (Article 1, Section 4)

"To require every franchise holder to furnish to the City, without cost to the City, full information regarding the location, character, extent and condition of all facilities of such franchise holder in, over and under the streets, alleys, and other public property of the City; and to regulate and control the location, relocation, and removal of such facilities." (Article XI, Section 5; Paragraph 4)

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#### PROPOSED STANDARDS AND PROCEDURES

In an effort to improve the coordination between the various utilities, standards for the location, design, and construction of utility mains and services should be adopted by the City of Austin. Standards should address the various utility locations within street rights-of-way and easements relative to the different types of development and the different types of terrain in the City. Also, a standard color code and procedures for marking utility locations should be established. Standard design and construction procedures would address the sequence of design; review of exceptions and variances, including subsequent approval or disapproval; sequence of construction activities; and the process for issuing permits allowing the work activities of the various utilities.

Sequence of design in subdivision development should cover the primary area of utility locations within street right-of-way. However, utility assignments in easements separate from the street right-of-way should also be addressed. Henceforth, it should be considered necessary to submit design drawings showing final street and storm sewer grades and sidewalk assignments before any utility design begins. The responsibility for review and approval of the aforementioned plans would be assigned to the City's Engineering Department.

Specific locations within public rights-of-way must be in accord-

ance with the designated typical assignments as shown on Sheets 1, 2, and 3 of Typical Street Right-of-Way and Front/Rear Lot Utility Assignments and Details. Utility location assignment alternatives are shown in Appendix A.

Sheet 1 shows typical utility assignments of main service lines within a street right-of-way in both a section view and in a plan view. In addition, the plan view also indicates that alternate lot lines have been designated for the assignment of certain utilities. This procedure would help ensure a more orderly locating service in the future. For the condition where the terrain is of an irregular nature, gravity flow systems will be designed to take full advantage of the available natural grade.

Sheet 2 provides detailed information about the location of utility service connections at the front lot lines. These details also indicate typical structures that are common in streets and street rights-of-way and give an indication of their locational effect on utility assignments. Sheet 3 shows typical utility assignments within a designated utility easement when some services are being provided at the rear of the lots in a subdivision development.

The assignments depicted on these sheets refer to new street construction, including residential and collector streets and public utility

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easements. However, it is also the intent of this document to provide typical assignments that are applicable to existing street reconstruction or rehabilitation that requires major utility relocations. Horizontal and vertical assignments have been defined to ensure that no major conflicts between utilities will occur. Any utility desiring to vary from these approved assignments must secure written approval from the other utilities involved. Unresolved conflicts will be handled by the Director of Public Works.

In designing the various utility lines, certain priorities in the design and construction activities should be followed. In general, the utilities dependent upon gravity (wastewater and storm sewer) should be designed ahead of other utilities, such as water, gas, electric, telephone, and television cable. Usually, the gravity lines require the deeper assignments or must be set on fixed grade lines, whereas other utilities can be easily adjusted vertically to prevent conflicts with the gravity lines.

The following design sequence should be followed, after approval of street plans and sidewalk assignments has been obtained.

1. Gravity flow systems.
  - a. Wastewater mains and laterals.
  - b. Storm Sewer mains and laterals.

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2. Water mains and lot service connections.
3. Gas mains and lot service connections.
4. Electric, telephone, television cable conduit crossings, ductlines, and underground and/or overhead lines.

Sequence of construction activities should also be considered in any coordinating effort by utilities. The sequence of construction activities showing priorities is as follows:

1. Cut streets to subgrade and rough grade ( $\pm$  0.5 feet) complete right-of-way.
2. Install water, wastewater, and storm sewer systems.
3. Install gas mains and lot service lines.
4. Install electrical, telephone and television cable conduit crossings on streets.
5. Construct curb and gutter and pavement.
6. Install electric, telephone, and television cable in non-paved areas.
7. Install meters, transformers, pedestals and other service equipment and remaining service connections.
8. Construct sidewalks and driveways.

The sequence of activities during the construction phase of a subdivision development as outlined above has taken into consideration the two different types of street pavement designs generally used. One type is asphalt concrete pavement of a two-inch thickness or less and the

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other is a Portland cement concrete pavement of adequate thickness and strength.

It is the intent of this document to "minimize and attempt to eliminate any instances of open cutting recently-paved streets," as stated in the City Council Goals and Objectives. Any utility needing to cross a street with their service line(s) within two years or less from the date of final paving will therefore be required to bore or drill under that street in order to avoid damage to the street. However, if an emergency repair or maintenance operation is necessary, then this requirement may be waived. Other exceptions to this requirement will only be approved whenever the Director of Public Works determines that boring causes unusually expensive construction, or seriously impacts adjacent development.

#### COLOR CODE FOR MARKING UTILITY LOCATIONS

The purpose of adopting a standard color code is two-fold. Any improvement towards reducing safety hazards associated with locating buried utilities would be welcomed, as well as the resultant reduction in damages to buried utilities during a construction activity. These markings are intended to be temporary in nature and for the duration of the construction activities. If any utility wishes to install permanent markers to assist in the location of their underground lines, however, it is recommended that the proposed color code be followed.

Past experience indicates that a substantial amount of damage

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occurring to buried utility lines results from inadequate techniques for locating these lines during construction and repair or maintenance operations. In an effort to minimize such damage to lines in the future, a standard color code for marking underground utility locations should be adopted. Typically, temporary markers consist of paints, stakes, and flags depending on the surfaces being marked. For example, when paints are used on pavements, the utility location should be marked with the appropriate color and designated with a corresponding initial(s). These initial(s) should appear at approximately 50 foot intervals along a painted line showing the location of the buried utility line, or at least twice if the painted line is less than 50 feet long.

The American Public Works Association has adopted a standard color code and marking system. A slightly modified version of the APWA standard is proposed to meet the specific needs of utilities in the Austin area. The color code is as follows:

Water	- Blue	- <u>W</u>
Wastewater	- Green	- <u>WW</u>
Storm Sewer	- Brown	- <u>SS</u>
Gas or Oil	- Yellow	- <u>G or O</u>
Electrical	- Red	- <u>E</u>
Telephone	- Orange	- <u>T</u>
Television	- White	- <u>TV</u>
Traffic Control	- Maroon	- <u>TR</u>



# SUMMARY

The intent of this proposal is to set standards designating utility assignments in public rights-of-way; standard procedures dealing with design and construction sequence of activities; a standard color code for marking utility locations; and a designated design review process. It has been reviewed and discussed in considerable detail by the following members of the Austin Area Utility Coordinating Council:

1. City of Austin
  - a. Public Works (Streets and Storm Sewers)
  - b. Engineering (Design)
  - c. Water and Wastewater (Water and Sewer)
  - d. Electric Utility (Electric)
  - e. Urban Transportation (Traffic Control)
2. Southwestern Bell Telephone Company (Telephone)
3. Southern Union Gas Company (Gas)
4. Capital Cable Company (Cable TV)

The Austin Area Utility Coordinating Council (A.A.U.C.C.) recommends adoption of this policy.

## APPENDIX A

### RESIDENTIAL, COMMERCIAL AND PLANNED UNIT DEVELOPMENT UTILITY LOCATION ASSIGNMENT ALTERNATIVES

<u>Utility</u>	<u>Type of Service</u>	<u>Assignment</u>	<u>References</u>
Water	Main Service Line	Street Right-of-Way	1. Re: Sheet 1 - Main service line typical assignments.
Wastewater			2. Re: Sheet 2 - Front lot service connection typical location details.
Storm Sewer			
Gas			
Electrical	Main Service Line	Street Right-of-Way	1. Re: Sheet 1 - Main service line typical assignments.
Telephone		or Rear Lot Easement	2. Re: Sheet 2 - Front lot service connection typical location details.
TV Cable			3. Re: Sheet 3 - Rear main service line typical assignments.
(Gas in certain situations)			

NOTE: Planned Unit Developments should adhere to these standards wherever possible.  
All variances will be determined during the design review process.

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Exhibit 3

Austin One-Call System

March 7, 1979

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K-5

## THE AUSTIN ONE CALL SYSTEM

### INTRODUCTION

A One Call System is defined by the Utility Location and Coordination Council of the American Public Works Association as being a "communication system established by two or more utilities, governmental agencies or other operators of underground facilities to provide one telephone number for excavating contractors and the general public to call for notification of their intent to use equipment for excavating, tunnelling, demolition or any other similar work. This One Call System provides the participating members an opportunity to identify and locate their underground facilities." This is considered a pure one call system.

These systems have become very popular and practical to operate in many cities over the United States in the last several years. (See Appendix A.) The reason for this is that damage to underground facilities has increased considerably over the years as the trend to put utilities underground has continued. These underground utility lines are vulnerable to excavating machines and any damage interrupts utility service. Also, this type of damage can pose a threat to life, health, and property. Reducing the amount paid for damages incurred by utilities, however, is still the primary reason for implementation of a one call system in a community.

#### UTILITY COORDINATION EXPERIENCE IN TEXAS

Unlike cities in other states, Texas cities are relatively inexperienced in utility coordination through formal organized groups. The American Public Works Association (A.P.W.A.) provides guidance concerning utility coordination and one call systems through a coordinator for Texas and Oklahoma.

Currently, only one other community in Texas has an organized group that is responsible for the utility coordination in that area; it is the Utility Coordinating Committee for the Houston Metropolitan Area. Austin will probably be the second Texas city to be recognized in this field of Public Works. The Houston organization began about ten years ago as an informal group of individuals in the utility business interested in coordinating the use of common underground space. Their interest initially was not utility damage prevention. As a result of their work, a system of standard utility easements was developed in an effort to provide adequate space for all utilities. The Houston group has adjusted their system to provide for technological advancement, and on the whole, the system has worked well in the planning and design stage, but their experience has been that it needs much more attention in the field. A problem is thus created for everyone involved, and the need for a coordinated effort is reinforced.

The Houston Committee also pioneered the one call system in Texas.

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Theirs is a pure one call system operating in the Houston metropolitan area. Here again, however, their organization began informally and has progressed well; over the years they have involved all those with underground facilities.

One other city in Texas, Dallas, operates a communication system which has an element of a one call system. The notification aspect is part of the system, but the field location of the underground facilities is not a consistent element. There may be other cities that have a system providing for their needs in this area of utility coordination, but it may not be recognized specifically as a one call system.

#### THE AUSTIN EXPERIENCE

Utility Coordination activity in Austin began in a similar yet different manner. The Austin City Council set goals and objectives in 1977 calling for an effort requiring increased utility coordination to reduce damage to streets resulting from excavation activities. Since that time, the Austin Area Utility Coordinating Council has been formed and includes an active One Call Committee. A.A.U.C.C. is a representative group of the various utility agencies, both public and private, in the City of Austin. It meets regularly and was instrumental in the formulation of "A Proposed Policy on Utility Assignments in Public Rights-of-Way." As a result of this effort, much information gathered in the process of

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formulating the proposed policy indicated a need for a reduction of damages to underground facilities.

The City of Austin is currently in a position to consider a system that can provide the general one call service. Based on information provided by the various utility agencies, damage costs that range upwards of \$400,000 annually have been identified. Even this figure, however, is only marginally documented because of the lack of complete and comprehensive records. Whether this is indicative of a lack of concern for the underground facilities or of some other reason, it is generally agreed that something has to be done to reduce these costs. The experience with one call systems or variations of such systems is very encouraging, especially when claims of over 50% reduction in damage costs in the first year of operation are being reported.

The Austin Area Utility Coordinating Council has been providing informational services for its members. Cooperation among all the utilities represented has been exceptional and should continue to be so. It is also expected that this committee will continue to be one of the most active committees in the organization.

#### MEMBERSHIP AND SYSTEM USERS

The One Call System membership will consist of the same utility agencies who are members of the A.A.U.C.C. The users of the system will

fall into two categories, primary and secondary. A primary user will be any one of the member utility agencies in the A.A.U.C.C. who will have a communications terminal in their office operation. A secondary user is one who is not a member of A.A.U.C.C., but who may access the system through the facilities of a primary user. Contractors and the general public fall into this category of secondary users.

#### GOALS AND OBJECTIVES

Usually the main goal of any one call system is to reduce the damages that occur to underground utilities stemming from any excavation activity. It is no different for the proposed Austin system. Since this proposed system is more than a pure system, other benefits which accrue as a result of its use can be interpreted as obtainable goals.

Phase I of the proposed one call system will provide for the notification and location services, data storage, data retrieval and printing capability. Phase II will provide for the generation of batch reports, possible integration into a common base map system, and automatic cross-referencing or checking with other data files from other City departments which have an impact on the excavation permit process. The Engineering Department would be such a department since they issue blasting permits required during some excavation activities. Based on the information being accumulated, the report-generating capability can then become a



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very useful management tool. Phase II will not be proposed until Phase I is fully operative.

#### SCOPE OF THE PROPOSED AUSTIN ONE CALL SYSTEM

The proposed One Call System for the City of Austin intends to make use of the existing "Keyword Program" as used on the City Data Systems computer facilities. It is intended to provide an excavation notification service that can be incorporated with the existing permitting activities for street cuts relating to utility repair or construction.

The system will consist of a network of terminals at different locations linked by telephone lines to the City's main computer which will act as a central processing unit for all transmissions through the system. (See Appendix B.) It is envisioned that all primary users of the system will have a terminal facility that may or may not include printing capabilities depending upon the needs of that particular user. As proposed, however, each user except one (Public Works) would only have inquiry capabilities to a data file established by Public Works. Public Works would be the only one to update the data file and act as a control mechanism.

Typically an action is initiated by a user who accesses the system by keying in on his terminal an inquiry for information from the data file.

Should a contractor who is working for a user need the service, he has access through the user for whom he is working. If a contractor is not working for a user, he must telephone the Street and Bridge Division of the Public Works Department and transmit his request through their terminal by providing the information to an employee, who will in turn key it into the machine. These transmissions will appear on a screen of a C.R.T. viewer on a given format that can be considered a permit application. If there is need for a hard copy (paper), it can be printed when completed or retained in storage to be printed during off-peak use periods of computer activity, i.e. at night. A 48-hour lead time period is anticipated for the non-emergency kinds of work activities.

#### SERVICE AREA

Initially the service area is expected to be the City of Austin and its extra-territorial jurisdictions. In the future, the system can grow as the need becomes apparent. It can be reasonably assumed, however, that as experience is gained in the operation of the system, new and innovative applications may make it feasible to extend a service area or create a new service area as a component of a much larger one. Time, imagination and money could be the only constraints to this operation.

Preliminary Cost Summary  
Austin One Call System  
Public Works Department

<u>Department/Location</u>	<u>Equipment Rental*</u> <u>(\$/Month)</u>	<u>Installation</u> <u>Fee (\$)</u>	<u>Total</u>
Water Department			
(1) 3500 W. 35th St.	437.50	300.00	737.50
(2) 2600 Webberville Rd.	337.50	250.00	587.50
Electric Department			
301 W. Ave.	437.50	300.00	737.50
Urban Transportation Dept.			
1501 Toomey Rd.	437.50	300.00	737.50
Engineering and Water and Wastewater Departments			
301 W. 2nd St.	766.00	400.00	1,166.00
Public Works Department			
(1) 301 W. 2nd St.	437.50	300.00	737.50
(2) 600 River St.	766.00	400.00	1,166.00
<hr/>			
TOTALS	\$3,619.50	\$2,250.00	\$5,869.50

Equipment rental cost for the first year of operation is:

Equipment	\$3,619.50/mo. x 12 mos.	=	\$43,434.00
** Communications Network	175.00/mo. x 12 mos.	=	2,100.00
Installation fee	2,250.00/mo. x 1 mo.	=	<u>2,250.00</u>
			\$47,784.00

Equipment rental cost for subsequent years is:

$$\$47,784.00 - \$2,250.00 = \$45,534.00$$

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- \* Equipment rental costs provided by Southwestern Bell Telephone Company as of March 1979.

1 CRT Video Unit	\$337.50
1 Printer	100.00

- \*\* Communications Network - telephone line monthly rental is to be shared by the participants in the system. It is estimated at \$300.00 per month. Assuming an equal share by all participants, then the cost is  $\$300.00/9 = \$33.33$  per month for each participant. Using \$35.00 per participant the City's share is \$175.00 per month.

#### Implementation Schedule Austin One Call System

May 3, 1979	Council approval to proceed. Prepare communications line network plan and programming effort
June, 1979	Equipment needs determined and exact cost data prepared
June - Sept., 1979	Secure funding from each of the sponsoring agencies Install communications network
Oct., 1979 - April, 1980	Install equipment
May - June, 1980	Trial operational period for system
June 1, 1980	Begin operation of system

January 24, 1979

RECEIVED

JAN 25 1979

PUBLIC WORKS DEPT.


Memo To: John German, Director Public Works  
From: Hugh Standifer, Data Systems Administrator  
Subject: Programming Cost for Utility Interconnect System

In response to your memo dated January 11, 1979 we submit the following estimate of time and cost required to adapt the Keyword System to the one call application.

Systems Analysis	80 hrs. @ \$24.00 =	\$1920
Programming	400 hrs. @ \$14.93 =	\$5972
Computer Test Time	1 hr. @ \$180.00 =	<u>\$ 180</u>
Total Estimated Cost		<u>\$8072</u>

The time estimates are considerably higher than those quoted to you by Mr. Roman for the following reasons. The system requirements, as defined by Mr. Cris Guzman of your staff, require two (2) inquiry-update screens instead of one (1), as Mr. Roman was anticipating. This will be a new feature for the Keyword System and requires additional programming time. An initial entry screen and a screen to enter and maintain a valid code file will also be required which Mr. Roman did not anticipate. The proposed system would also restrict data entry from outside the Public Works Department to only certain areas of the update screen.

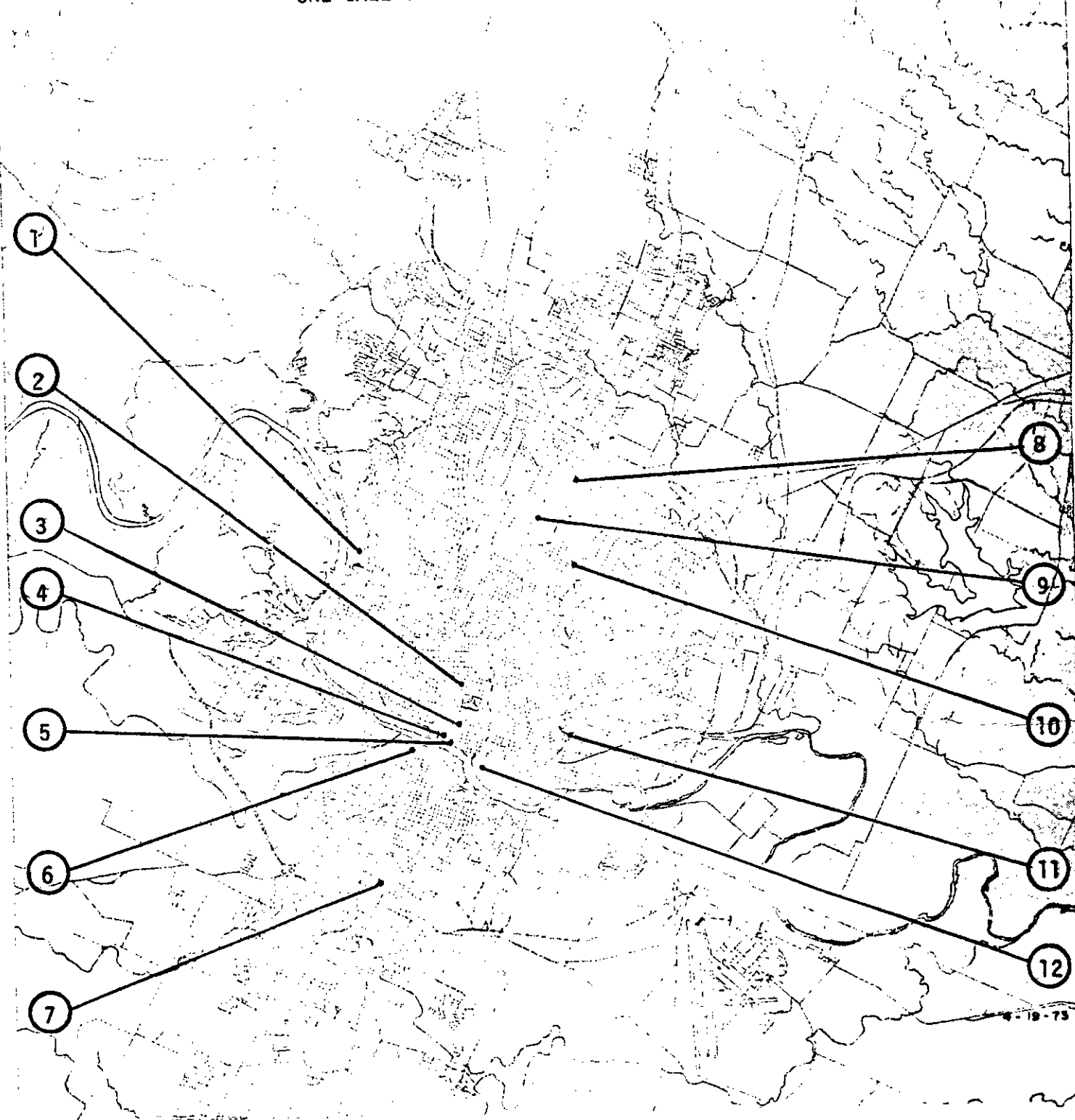
In summary the system will be more sophisticated than we first visualized and thus more expensive. However, I think you will agree that the benefits of having such a system will far exceed the cost and we look forward to working with you on this very important project. We do request, however that you give us as early notification as possible since we try to keep programming activities scheduled at least one year in advance.

  
Hugh Standifer  
Data Systems Administrator

# APPENDIX A

K-595

## ONE CALL SYSTEM TERMINAL LOCATIONS



1. Water Treatment Plant
2. Bell Telephone - Central
3. City Data Systems
4. Electric Building
5. Municipal Annex
6. Urban Transportation

7. Bell Telephone - South
8. Bell Telephone - North
9. Southern Union Gas
10. Capital Cable TV
11. Water & Wastewater - Webberville Rd.
12. Street & Bridge Division